

Manila, Utah
November 11, 2014

The regular meeting of the Daggett Board of Education was held at Manila High School on November 11, 2014. President Asbill called the meeting to order at 6:00 P.M. Also attending were members Reid, Pallesen, Barber and Olsen; Superintendent Northcott; Business Administrator Robinson. Steve and JD Johnstun.

Steve Johnstun, of Steve Johnstun & Associates, presented the Audit Report for the year ending June 30, 2014, he noted the following findings.

For the year ending June 30, 2014 the major changes to the District's assets and liabilities were:

1. Cash and investments decreased by \$554,605 due to finishing additions to two buildings in the district.
2. Receivables decreased by \$79,275 due to a decrease in receivables from other governmental units.
3. Total liabilities decreased by \$144,636 mostly due to payment of debt.

The total revenues for the governmental activities were \$4,021,677. Program revenues totaled \$2,274,760. The major sources of program revenues are charges for services and operating grants and contributions. General revenues for the year totaled \$1,746,917. The major sources of general revenues are taxes and federal and state aid. Taxes comprise 31.66% of the District's total revenues.

The District's change in net position for the year 2014 was an increase of \$219,225 which was \$217,455 less than the prior year change in net position. The difference was due to the increase in capital assets being significantly lower than in 2013.

At the end of the year there were no budget shortfalls. In total, the general fund's expenditures were \$113,614 less than the final budgeted expenditures. Actual revenues were \$6,582 more than budgeted revenues.

During the year, the budget was amended to adapt to changes in revenue and expenditure expectations as well as the elimination of the Non K-12 Fund. Total budgeted revenues in the general fund were increased by \$59,048. Total budgeted expenditures in the general fund were increased by \$96,062.

At June 30, 2014 the District had \$11,743,227 invested in capital assets, including land, buildings, and equipment. This amount represents a net increase (additions, deductions, and depreciation) of \$708,852.

At year-end, the District had \$3,229,000 in bonds and notes outstanding versus \$3,562,000 the previous year, a decrease of \$223,000.

At the end of the fiscal year, the District's obligation for post-employment benefits totals equaled \$-0-.

Mr. Olsen moved to accept the Audit Report as presented, seconded by Mrs. Reid. Motion carried unanimously.

Mr. Olsen moved to approve the Consent Calendar, seconded by Mrs. Barber. Motion carried unanimously. The Consent Calendar consisted of the minutes of the October 14, 2014 and October 28, 2014 Board Meetings, and the Warrant List and Financial Statement.

Mr. Olsen moved to approve the revision of the following policies on the 3rd & Final Reading as amended. Motion was seconded by Mrs. Reid and carried unanimously. (See attachment #1)

DBA 3000 Certified Personnel
DBB 3000 Classified Personnel
DKAB 3180 Hiring Preference of Veterans & Spouses
DFA 3500 Professional Development Plans
DHA 3530 Orderly School Termination
DMA 3600 Employee Acceptable Use Personal Owned
DMB 3610 Acceptable Use of District Owned
EBA 4100 Term of Instruction School Year
ECA 4200 Curriculum Required Instruction
ECH 4280 Curriculum Human Sexuality
EHA 4700 Graduation Requirements
FBB 5110 Admissions & Attendance Compulsory
FFB 5150 Admissions & Attendance Enforcement
FBF 5160 Re Entry into Public Schools
FDEA 5242 Wellness Policy & Appendix
FDACD 5347 Medical Recommendations by School
FEA 5410 Education & Family Privacy
FHA 5710 Safe Schools
FGAD 5717 Students Rights & Responsibilities
GC 6200 Community Use of School Facilities
GE 6400 School Community Councils

FDE Wellness Policy Adoption Process
GAB Public Information School Report Card
GCD Political Party Use of School Facilities

Mrs. Barber moved to table the following policies, seconded by Mrs. Reid and carried unanimously.
EEB 4410 Instructional Resources Internet
FGAB 5620 Student Conduct Electronic Devices

Superintendent Northcott reviewed Policy FBA 5100 – Admissions and Attendance: Eligibility and Admissions Requirements. He suggested that documents be prepared to go with this policy to clarify guardianship. The Board agreed and asked him to move forward.

Mr. Olsen moved to hold the District Christmas Social this year at Flaming Gorge Resort. Motion was seconded by Mrs. Pallesen and carried unanimously.

Superintendent Northcott indicated he and CTE staff members met by IVC with UBATC leadership to discuss giving Applied Technology credit for courses already being taught by CTE such as welding, business, Allied Health, and a CAN program. There was also some discussion with regards to these sorts of credits being extended to the jail where inmates could possibly work on building construction projects at the jail.

Superintendent's activity report was reviewed.

Superintendent Northcott reviewed the SAGE Results along with Direct Writing Assessments.

The Board reviewed the impact of the 4-day week on activity absence along with the impact on all attendance at Manila High School. It shows significant improvement.

Carol Slaugh, K-1 teacher at Manila Elementary shared with the Board some of the fun writing exercises they have been doing in the 1st grade that are part of the Utah LA Core.

Superintendent Northcott noted the following Great Things Happening.

1. Region Cross Country: Girls - Meagan Northcott (7); Boys - Ben Northcott (2), Matt Gonder (6), and Ethan Clegg (8) qualified for state.
2. State Cross Country: Girls - Meagan Northcott (25); Boys - Ben Northcott (13), Matt Gonder (21), and Ethan Clegg (54). Matt Gonder earned Academic Allstate honors.
3. Volleyball season ended when the girls did not qualify for State.
4. MES Halloween Parade
5. Suicide, Bullying, Drug awareness events for students and parents
6. McKayla Gonder made it through the first cut in the FFA National Officer selection process.
7. JHBBB games have begun
8. GBB & BBB practices have begun.
9. Dress rehearsals for the musical—performances this weekend.
10. FFA Snow College Contest Results: Land Judging, Koby Mosley was high individual, Jonah Gonder placed third. Mosley, Gonder, Carsen Hinkhouse and Ross Slagowski won the state competition and earned the right to compete nationally. Also placing first was the Ag. Mechanics team composed of Trevor Sadlier, Matt Gonder, and Tanner Pallesen. Sadlier was also the second high individual.

Next Meetings

1. Work Meeting, Tuesday November 25, 2014 @ 5:30PM
2. Board Meeting, Tuesday December 9, 2014 @ 5:00PM
3. District Social, Tuesday December 9, 2014 @ 6:30PM

There being no further business, President Asbill declared the meeting adjourned.

President, Board of Education

Clerk, Board of Education

Employment: Certified Personnel

Contract Term

Whether an employee is considered certified or classified, and regardless of the number of working days, the last working day related to the instructional school year, or the agreement for the payment of the contract (which may extend through the summer months of June, July and August), all employment contracts last not more than one year and end on June 30 of any given year. The superintendent and business administrator contracts end on June 30 but last two years as dictated by statute.

Certified Personnel

“Certified personnel” or “certified employees” refers to employees of the District required to maintain licensure from the Utah State Board of Education.

Qualification

All personnel who will provide direct student instruction must satisfy the rules and standards for qualification and certification established by the Utah State Board of Education.

Appointment of Certified Personnel

All certified staff members of the District will be appointed by the Board only upon the recommendation of the Superintendent. Should a person nominated by the Superintendent be rejected by the Board, it shall be the Superintendent’s duty to make another nomination.

Written criteria should be developed which is related to the position requirements. The selection process shall be uniform to all applicants. All applicants shall be fully informed of the criteria and procedures associated with the selection process prior to an interview or at the beginning of the interview.

No person or entity other than the properly constituted Board or the Superintendent has any authority to make oral representations or agreements for employment or for any specified length of time, or to make any other agreement or representation regarding employment.

UCA § 53A-3-411(1)

Utah Code Ann. § 53A-1-402

Utah Code Ann. § 53A-6-101 et seq.

Contracts: Certified Personnel

The Board shall employ certified personnel by a written contract that sets forth the terms and conditions of employment. The length or term of the contract shall not exceed five years. All such contracts shall be in writing, and shall embody the terms and conditions of employment. Nothing in the terms of the contract shall restrict the power of the Board to terminate the contract for cause at any time. The Board may not enter into a collective bargaining agreement that prohibits or limits individual contracts of employment. Contracts for hiring or rehiring of personnel shall be valid only if entered into by the Board.

Utah Code Ann. § 53A-3-411

Property Interest

A certified employee’s contract of employment with the District creates a property interest in the position only for the period of time stated in the contract. Such a contract creates no property interest of any kind beyond the period of time stated in the contract.

Perry v. Sindermann, 92 S. Ct. 2694 (1972)

Board of Regents of State Colleges v. Roth, 92 S. Ct. 2701 (1972)

Release from Contract

The employee enters into contract with the district in good faith and with full intention of completing its terms and conditions. The contract may be broken only by mutual agreement of the parties concerned.

An employee wishing to be released from his/her contractual obligation late in the summer places the district in a tenuous position of having to hire replacements from a diminished pool of applicants and a possibility of having to start school without being fully staffed. Additional expenses associated with recruitment of key personnel i.e., administrators, teachers, librarians, counselors, supervisors, and directors necessitate a fee to be paid to the district by any staff member under contract in any of the above named capacities if released from contract by the Board of Education pursuant to the following schedule:

- 1) The sum of \$500.00 if release from contract is requested after July 1, but before July 15 of the contract year; or,
- 2) The sum of \$750.00 if release from contract is requested after July 14, but before July 30 of the contract year; or,
- 3) The sum of \$1000.00 if release from contract is requested after July 29, but before August 14 of the contract year; or,
- 4) The sum of \$1250.00 if release from contract is requested after August 15 of the contract year.

Employment: Classified Personnel

Contract Term

Whether an employee is considered certified or classified, and regardless of the number of working days, the last working day related to the instructional school year, or the agreement for the payment of the contract (which may extend through the summer months of June, July and August), all employment contracts last not more than one year and end on June 30 of any given year. The superintendent and business administrator contracts end on June 30 but last two years as dictated by statute.

Classified Personnel

For purposes of these policies adopted by the Board, “classified personnel” or “classified employees” refers to employees of the District who are not Certified Personnel.

Contracts: Classified Employees

Contract classified employees shall have no property right in their employment and may be dismissed at will. The Board or its designee may terminate the employment of contract classified employees any time, for any reason, other than a reason prohibited by law

Dismissal Procedure

Contract classified employees who are dismissed shall receive either notice or salary in an amount equal to the remainder of the pay period. This provision shall not create a contractual relationship or any expectation of employment other than at-will.

Job Descriptions

The Board shall adopt policies specifying the duties of each of its classified positions of employment. The Board shall assign positions of employment to meet the specific needs of the District.

Utah Code Ann. § 53A-3-402 (2013)

Benefits for Employees Hired after July 1, 2013

Unless otherwise defined by District policy or negotiated agreement and subject to Federal law, a classified employee hired after July 1, 2013:

- 1) may be required to work twenty (20) hours or more in a regular work week; and
- 2) may be exempt from receiving benefits normally provided to classified employees.

Utah Code Ann. § 49-12-102(4)(c) (2013)

DKAB 3180

Hiring Preference of Veterans and Veterans’ Spouses

Hiring of Veterans and Veterans’ Spouses

For purposes of this Policy a disabled veteran shall mean an individual who served duty in the armed forces and received an honorable release therefrom and who has a presently existing service-connected disability or is receiving compensation, disability retirement compensation, disability retirement benefits or a pension because of a public statute administered by the Federal Department of Veterans Affairs or military department.

For purposes of this policy “preference eligibility” shall be granted to any individual who has served on active duty in the armed forces for at least 180 days and who has received an honorable discharge therefrom, any disabled veteran, the unmarried widow or widower of a veteran or a retired member of the armed forces.

For purposes of this policy “veteran” means an individual who has served on active duty in the armed forces at least 180 days and who has received an honorable discharge therefrom, or any person incurring an actual service related injury or disability even though that person has not completed 180 days of active service.

Veterans Preference

When considering candidates for employment in the District, the District shall grant a veteran’s preference to each preference eligible veteran or preference eligible spouse. The Personnel Officer of the District shall add to the score of a preference eligible person who receives a passing score on an examination, or any rating or ranking mechanism used in selecting individuals for employment in the District the following:

- 1) Five percent (5%) of the total possible score if the person is a veteran;
- 2) Ten percent (10%) of the total possible score if the person is a disabled Veteran or a purple heart recipient; or,
- 3) If the candidate is an eligible spouse, widow or widower, the same percentage increase that the qualifying veteran would have been entitled to.

A preference eligible person who applies for a position that does not require an examination shall be given preference in interviewing and hiring for the position. If all other circumstances relevant to employment are equal among candidates, then a preference shall be given to the veteran applying for a position with the District.

Utah Code Ann. § 71-10-1et seq.

DFA 3500

Professional Development Plans

Plans for Staff Professional Development

The District and each school shall develop and implement a systematic, comprehensive, and long-term plan for staff professional development.

School Community Council

Each school shall use its school community council, school directors, or a subcommittee or task force created by the school community council as provided in Utah Code Ann. § 53A-1a-108 to help develop and implement the plan.

Professional Learning Standards

As used here, “professional learning” means a comprehensive, sustained, and evidence-based approach to improving teachers’ and principals’ effectiveness in raising student achievement. Professional development plans shall implement high quality professional learning which meets the following standards:

1. It occurs within learning communities committed to continuous improvement, individual and collective responsibility, and goal alignment;
2. It requires skillful leaders who develop capacity, advocate for professional learning and create support systems for professional learning;
3. It requires prioritizing, monitoring, and coordinating resources for educator learning;
4. It uses a variety of sources and types of student, educator, and system data to plan, assess, and evaluate professional learning;
5. It integrates theories, research, and models of human learning to achieve its intended outcomes;
6. It applies research on change and sustains support for implementation of professional learning for long-term change;
7. It aligns its outcomes with:
 - a. Performance standards for teachers and school administrators as described in rules of the State Board of Education and
 - b. Performance standards for students as described in the core curriculum standards adopted by the State Board of Education; and
8. It incorporates the use of technology in the design, implementation, and evaluation of high quality professional learning practices and includes targeted professional learning on the use of technology devices to enhance the teaching and learning environment and the integration of technology in content delivery.

Utah Code § 53A-3-701(1), (2) (2014)

Board Review

The Board shall review and either approve or recommend modifications for each school plan within the District so that each school’s plan is compatible with the District plan.

The Board shall provide positive and meaningful assistance to a school, if requested by its community council or school directors, in drafting and implementing its plan; and monitor the progress of each school plan and hold each school accountable for meeting the objectives of its plan.

DHA 3530

Orderly School Termination for Employees: All Employees Can Obtain Career Status

Definitions

For purposes of this policy, the following definitions apply:

“Career Employee”

An employee of the District who has obtained a reasonable expectation of continued employment. A certified employee who works for the District on at least a half-time basis becomes a career employee upon the successful completion of at least three (3) full consecutive academic school years with the District as a provisional employee (District may extend the three-year provisional status of an employee up to an additional two (2) consecutive years). If the provisional employee starts after the beginning of the school year, that school year does not count toward “career employee” status. Successful completion is determined by performance of all contractual duties within standards acceptable to the District.

An employee who has obtained a reasonable expectation of continued employment under this policy and then accepts a position with the District which is substantially different from the position in which career status was obtained shall retain career status. An employee with career status who is separated from employment with the District and later returns to work with the District shall upon return be a provisional employee.

Utah Code Ann. § 53A-8a-102 (2012)

Utah Code Ann. § 53A-8a-201 (2012)

“Provisional Employee”

Any employee who has not achieved career employee status is a “Provisional Employee.” A provisional employee is an employee, who works for the District on at least a half-time basis, hired on an individual, one-year contract and who is not a temporary employee. Provisional employees have no expectation of continued employment beyond the current one-year contract term. Provisional employees are employed at will and their employment can be terminated at the discretion of the Board of Education except that provisional employees can be discharged during the term of each contract only for cause. The District may extend the provisional status of an employee up to an additional two

consecutive years by written notification to the provisional employee no later than 30 days before the end of the contract term of that individual. Circumstances under which an employee's provisional status may be extended include: (1) less-than-perfect score on a performance evaluation; or (2) receipt of complaint(s) or expression(s) of concern from a parent, co-worker, or member of the community that creates uncertainty about the employee's professionalism, performance, or character; (3) declining student enrollment in the district or in a particular program or class; (4) the discontinuance or substantial reduction of a particular service or program; or (5) budgetary concerns.

Utah Code Ann. § 53A-8a-102 (2012)

"Classified Employees"

Classified Employees are all non-certified employees of the District.

"Temporary Employee"

Temporary employees are all employees employed on a temporary basis. Temporary employees also include those seasonal employees who are employed for less than the full academic year. An appointment of a temporary employee may not be for a period of time greater than one year. Temporary employees are employed at the will of the District and have no expectation of continued employment and their employment may be terminated at any time without cause. Temporary employees are not career employees or provisional employees as defined by Utah Code Annotated § 53A-8-102 and the policies of this District.

Utah Code Ann. § 53A-8a-102 (2012)

"Contracted Service Providers"

Contracted Service Providers are individuals regardless of employment status (full or part-time) who by nature of their profession are not required to hold a professional certificate issued by the Utah State Board of Education who are paid by contract to provide specific types of services for the District but who are not employees, are not on the District payroll and do not receive the same benefits enjoyed by regular employees of the District.

"Extra Duty Contracts"

An employee who is given extra duty assignments in addition to a primary assignment, such as a teacher who also serves as a coach or activity advisor, is a temporary employee in those extra duty assignments and may not acquire career status beyond the primary assignment. There are no rights to a due process hearing if a person is released from coaching or an extra duty position. A person may be released from a coaching or extra-curricular position at the discretion of the Board.

"Employee"

A person, other than the District superintendent or business administrator, who is a career or provisional employee of the District.

Utah Code Ann. § 53A-8a-102 (2012)

"Contract Term or Term of Employment"

The term of employment is the period of time during which an employee is engaged by the District under a contract of employment, whether oral or written. Notwithstanding, all contracts of employment shall be in writing.

"Dismissal or Termination"

An employee shall be deemed to be discharged upon occurrence of any of the following events:

- 1) Termination of the status of employment of an employee.
- 2) Failure to renew the employment contract of a career employee.
- 3) Reduction in salary of an employee not generally applied to all employees of the same category employed by the District during the employee's contract term.
- 4) Change of assignment of an employee with an accompanying reduction in pay unless the assignment change and salary reduction are agreed to in writing.

Utah Code Ann. § 53A-8a-102 (2012)

"Unsatisfactory performance"

A deficiency in performing work tasks which may be:

- 1) due to insufficient or undeveloped skills, lack of knowledge or aptitude, poor attitude, or insufficient effort; and
- 2) remediated through training, study, mentoring, practice, or greater effort.

Does not include the following conduct:

- 1) a violation of work rules;
- 2) a violation of local school board policies, State Board of Education rules, or law;
- 3) a violation of standards of ethical, moral, or professional conduct; or
- 4) insubordination.

Utah Code Ann. § 53A-8a-102 (2012)

Causes for Dismissal or Non-Renewal

Any employee may be suspended or discharged during a contract term for any of the following:

- 1) Immorality;
- 2) Insubordination or failure to comply with directives from supervisors;
- 3) Incompetence;
- 4) Conviction, including entering a plea of guilty or nolo contendere (no contest), of a felony or misdemeanor involving moral turpitude or immoral conduct;

- 5) Conduct which may be harmful to students or to the District;
- 6) Improper or unlawful physical contact with students;
- 7) Violation of District policy;
- 8) Unprofessional conduct not characteristic of or befitting a District employee;
- 9) Manufacturing, possessing, using, dispensing distributing, selling and/or engaging in any transaction or action to facilitate the use, dispersal or distribution of any illicit (as opposed to authorized) drugs or alcohol on District premises or as a party of any District activity;
- 10) Current addiction to or dependency on a narcotic or other controlled substance.
- 11) Dishonesty or falsification of any information supplied to the District; including data on application forms; employment records or other information given to the District;
- 12) Engagement in sexual harassment of a student or employee of the District;
- 13) Neglect of duty, including unexcused absences, excessive tardiness, excessive absences, and abuse of leave policies or failure to maintain certification;
- 14) Deficiencies pointed out as part of any appraisal or evaluation;
- 15) Failure to fulfill duties or responsibilities;
- 16) Inability to maintain discipline in the classroom or at assigned school-related functions;
- 17) Drunkenness or excessive use of alcoholic beverages or controlled substances;
- 18) Disability not otherwise protected by law that impairs performance of required job duties;
- 19) Failure to maintain an effective working relationship, or to maintain good rapport with parents, co-workers, the community or colleges;
- 20) Failure to maintain requirements for licensure or certification;
- 21) Unsatisfactory performance;
- 22) For any other reason justifying termination of employment for cause.

Termination for Unsatisfactory Performance—Procedural Due Process

Notice to Career Employee of Unsatisfactory Performance

If the District intends not to renew the contract of a career employee for reasons of unsatisfactory performance, it shall:

- 1) Notify a career employee at least 30 days prior to issuing a notice of intent not to renew the employee's contract that continued employment is in question and the reasons for anticipated non-renewal;
- 2) The Principal or designee shall provide and discuss with the career employee written documentation clearly identifying the deficiencies in performance;
- 3) The Principal or designee shall develop and implement a plan of assistance, in accordance with procedures and standards established by Policy DG 3520, to allow the career employee an opportunity to improve performance;
- 4) Provide to the career employee a sufficient time period to successfully complete the plan of assistance of at least 30 days but not more than 120 days in which to correct the deficiencies; except the 120 day limit may be extended when: a) a career employee is on leave from work during the time period the plan of assistance is scheduled to be implemented; and the leave was approved and scheduled before the written notice intent not to renew was provided; or b) the leave is specifically approved by the Board.

The time period to correct the deficiencies may continue into the next school year;

The time period to implement the plan of assistance and correct the deficiencies shall begin when the career employee receives the written notice provided under Subsection (1) and end when the determination is made that the career employee has successfully remediated the deficiency or notice of intent to not renew or terminate the career employee's contract is given in accordance with Subsection (5b);

- 5) The Principal or designee shall reevaluate the career employee's performance.
 - a) If upon a reevaluation of the career employee's performance, the district determines the career employee's performance is satisfactory, and within a three-year period after the initial documentation of unsatisfactory performance for the same deficiency pursuant to Subsection (2), the career employee's performance is determined to be unsatisfactory, the district may elect to not renew or terminate the career employee's contract.
 - b) If the career employee's performance remains unsatisfactory after reevaluation, the Superintendent or designee shall give notice of intent to not renew or terminate the career employee's contract, which shall include written documentation of the career employee's deficiencies in performance.

Nothing in this Policy shall be construed to require compliance with or completion of evaluations prior to non-renewal of a career employee's contract.

An employee whose performance is unsatisfactory may not be transferred to another school unless the Board specifically approves the transfer of the employee.

Utah Code Ann. § 53A-8a-503 (2012)

Utah Code Ann. § 53A-8a-506 (2012)

Notice of Intent not to Renew Contract of Career Employee

If the District intends not to renew the contract of employment of a career employee after giving notice that continued employment is in question, it shall:

- 1) Give notice that a contract of employment will not be offered for the following school year to the individual.
- 2) Issue notice at least 30 days before the end of the contract term of the individual.
- 3) Serve notice by personal delivery or certified mail to the employee's most recent address shown on the district's personnel records.

Notice of Intent to Terminate Employment During Term of Contract

If the District intends to terminate an employee's contract during the contract term, the District shall:

- 1) Give written notice of that intent to the employee;
- 2) Serve the notice by personal delivery or by certified mail addressed to the individual's last known address.
- 3) Serve the notice at least 30 days prior to the proposed date of termination;
- 4) State the date of termination and detailed reasons for termination.
- 5) Give notice of the individual's right to appeal the decision to terminate employment and the right to a hearing and the right to legal counsel, to present evidence, cross-examine witnesses and present arguments at the hearing.
- 6) Notify the employee that failure to request a hearing within 15 days after the notice of termination was either personally delivered or mailed to the employee's most recent address shown on the district's personnel records shall constitute a waiver of the right to contest the decision to terminate.

Utah Code Ann. § 53A-8a-502 (2012)

Notice of Intent Not to Offer a Contract to a Provisional Employee

If the District intends not to offer a contract of employment for the succeeding school year to a provisional employee, it shall give notice at least 60 days before the end of the provisional employee's contract term that the employee will not be offered a contract for a following term of employment. Because provisional employees do not have an expectation of continued employment, they do not have a right to grieve the decision not to renew employment and do not have a right to a hearing.

Utah Code Ann. § 53A-8a-502 (2012)

Notice of Intent to Terminate or Not Offer a Contract to a Temporary Employee

Temporary employees will be given notice of a minimum of 10 working days of the termination of their employment. Because temporary employees do not have an expectation of continued employment, they do not have a right to grieve the decision to terminate or not to extend employment and do not have a right to a hearing.

Expectation of Continued Employment in Absence of Notice

In the absence of a notice, a career or provisional employee is considered employed for the next contract term with a salary based upon the salary schedule applicable to the class of employees into which the individual falls.

This provision does not preclude the dismissal of a career or provisional employee during the contract term for cause.

Utah Code Ann. § 53A-8a-502 (2012)

Right to an Informal Conference

A notice of intention not to renew the contract of a career employee or of an intention to terminate the contract of a career or provisional employee during its term must advise the individual that he or she may request an informal conference before the Superintendent or Superintendent's designee. The request for an informal conference must be made in writing and delivered to the Superintendent's within 10 days of the date on the notice of intention not to renew or notice of termination during the contract term. The informal conference will be held as soon as is practicable. Suspension pending a hearing may be without pay if the Superintendent or a designee determines after the informal conference, or after the employee had an opportunity to have an informal conference, that it is likely that the reasons for cause will result in termination.

Employee's Right to Hearing

A notice of intention not to renew the contract of a career employee or of an intention to terminate the contract of a career or provisional employee during its term must also advise the individual that if after the informal conference the employee wishes a hearing on the matter, he or she must submit written notice to that effect to the Superintendent's office within five (5) days of the informal conference. If the employee wishes to not have an informal conference, but does wish to have a hearing, he or she must submit written notice to that effect within 15 days of the date on the notice of intent not to renew or notice of termination during the contract term. Upon timely receipt of the notice, the Superintendent will notify the Board, which will then either appoint a hearing examiner or hearing board or determine to hear the matter itself. In either case, the Board will then send notice of the date, time and place of hearing to the Superintendent and to the employee. If the employee does not request a hearing within 15 days, then the employee shall have waived any right to a hearing and to contest the decision.

Appointing a Hearing Examiner

If the Board of Education determines that the hearing shall be conducted by a hearing examiner or board, it shall so advise the Superintendent to appoint a board of three District administrators who have no substantial knowledge of the facts of the case or select an independent hearing examiner.

In so appointing a hearing examiner or hearing board, the Board of Education may delegate its authority to the hearing officer or hearing board to make findings and decisions relating to the employment of the employee that are binding

upon both the employee and the Board of Education. In the absence of an express delegation, the Board retains the right to make its own decision based on the factual findings of the hearing officer.

Utah Code Ann. § 53A-8a-504 (2012)

Rights of Employee at a Hearing

At the hearing, the employee and administration each have right to counsel, to produce witnesses, to hear testimony, to cross-examine witnesses, and to examine documentary evidence.

Utah Code Ann. § 53A-8a-504 (2012)

Decision

Within 15 days after the hearing, the person or entity that conducted the hearing (whether the hearing examiner, hearing board, or Board of Education) shall issue written findings and conclusions deciding the matter. These shall be provided to the employee by mail or personal delivery.

In the event the decision of the board or hearing officer is to not terminate the employment of the employee, then the employee shall be reinstated and back pay shall be paid if the employee was suspended without pay pending a hearing.

Utah Code Ann. § 53A-8a-502 (2012)

Suspension During Investigation

The active service of an employee may be suspended by the Superintendent pending a hearing if it appears that the continued employment of the individual may be harmful to students or to the District. The employee shall be provided written notice of the suspension, which may be included with written notice of termination of employment during the contract term or notice of non-renewal of contract.

Utah Code Ann. § 53A-8a-502 (2012)

Necessary Staff Reduction not Precluded

Nothing in this policy prevents staff reduction if necessary to reduce the number of employees because of the following:

- 1) declining student enrollments in the district;
- 2) the discontinuance or substantial reduction of a particular service or program;
- 3) the shortage of anticipated revenue after the budget has been adopted; or
- 4) school consolidation.

Utah Code Ann. § 53A-8a-505 (2012)

No Verbal Agreements

It is the policy of the District that all agreements with employees must be written; there are no verbal agreements because all agreements must be approved by the Board of Education. Only the Board of Education has authority to hire and fire unless such authority has been expressly delegated in writing.

Notification to Utah Professional Practices Advisory Commission

The Superintendent shall notify the Utah Professional Practices Advisory Commission if an educator is determined, pursuant to an administrative action, to have had disciplinary action taken for:

- 1) immoral behavior
- 2) unprofessional conduct, or professional incompetence which results in suspension for more than one week or termination.

Utah Admin. Code R277-514-5(B) (2011)

DMA 3600

Employee Acceptable Use of Electronic Devices

Purpose

District employees' job responsibilities may require them to use electronic devices or may be more efficiently and effectively fulfilled by use of such devices. District employees may also wish to use electronic devices for personal purposes during work time. However, electronic devices are subject to misuse and in some circumstances can have the effect of distracting and disrupting the employee and others in the school setting and may also lead to the disruption of the educational process. The purpose of this policy is to vest in school and District administrators the authority to enforce reasonable rules relating to electronic devices in the workplace and to establish the framework for acceptable use of such devices. Policy DMB contains additional standards relating to District-owned devices and devices being used to conduct District business.

Definitions

An "electronic device" includes any type of computer or computer-like device (such as a tablet) as well as any "electronic communication device." An "Electronic communication device" is an electronic device that can be used to record and/or transmit (on either a real time or delayed basis) text, video or still images, sound, or other information. Examples of electronic communication devices include mobile telephones, "smart" telephones, Personal Digital Assistants (PDAs), two-way radios, video broadcasting devices, and pagers.

General requirements for acceptable use of electronic devices

Employee use of electronic devices must comply with Policy EEB (regarding internet and school network use), Policy DKB (regarding sexual harassment), Policy DKBA (regarding interactions with students), Policies FE and FEA (relating to privacy of student records and information) and any other applicable District policies. Certified employee use of electronic devices must also comply with the Utah Educator Standards (see Utah Admin. Rules R277-515-1 and following). Employees shall not use electronic devices in any way which violates applicable statutes or regulations. Employees shall not use electronic devices in ways that bully, humiliate, harass, or intimidate students, other employees, or other school-related individuals.

Utah Admin. Rules R277-495-4.A(2), (5), (6) (April 7, 2014)

Employee use of an electronic device on school premises to access inappropriate or pornographic images is illegal, may have criminal consequences, shall be reported to law enforcement, and may have adverse employment consequences including termination from employment.

Utah Admin. Rules R277-495-4.C(1) (April 7, 2014)

Electronic devices must be used in an ethical and responsible manner and must not be used to invade others' reasonable expectations of privacy. Students and others in the public schools should not be subject to video or audio capture, recording, or transmission of their words or images by any employee without express prior notice and explicit consent for the capture, recording, or transmission of such words or images. There are certain situations where the possession or use of electronic communication devices and cameras is absolutely prohibited within the public school, including locker rooms, counseling sessions, washrooms, and dressing areas.

Utah Admin. Rules R277-495-4.D(1) (April 7, 2014)

Vehicle operation standards

Employees operating a school bus, or any other District-owned or leased vehicle, are prohibited from operating the vehicle while using an electronic communication device, whether personally owned or District issued, except:

- 1) During an emergency situation;
- 2) To call for assistance, after stopping the vehicle, if there is a mechanical breakdown or other mechanical problem;
- 3) Specifically authorized use of a two-way radio system or a mounted, voice GPS system; or
- 4) When the school bus or other vehicle is parked.

Utah Admin. Rules R277-601-3.B(1)(b) (October 11, 2010)

Personally owned electronic communication devices

Employees may carry and use personally owned electronic communication devices on school property subject to this policy and any additional rules and regulations promulgated by the Board of Education. Employees who violate this policy may be subject to disciplinary action.

Personal electronic communication devices should not be turned on during the employee's normal duty time to send or receive messages of a personal nature except in emergency situations or with pre-approval from the superintendent or school principal or designee. This includes all times when the employee has direct supervisory responsibility for students or school activities, including after regular school hours (such as at evening school-sponsored events).

Personal use of an electronic communication device is allowable during normal break times, lunch times, preparation times, and outside of regular school hours when the employee does not have direct supervisory responsibility. Personal electronic communication devices should not be used during instructional time or at school-sponsored programs, meetings, in-services, conferences with parents or guardians, or any other time where there would be a reasonable expectation of quiet attentiveness.

A school bus operator may use an electronic device for personal use once a school bus is safely parked, appropriately secured and all passengers are safely off and at a safe distance from the bus, consistent with school district policy.

Utah Admin. Rules R277-601-3.B(1)(b) (October 11, 2010)

DMB 3610

Acceptable Use of District Owned Electronic Communication Devices

Purpose

District electronic communication devices shall be used to support the educational and business requirements of the District. District electronic communication devices shall be used in compliance with all applicable federal, state, and local laws and regulations, and in a cost-effective and ethical manner. This policy also applies to usage of private electronic communication devices by District employees to the extent utilized for District business. Failure to comply with this policy may result in suspension of the privilege of using a District electronic communication device, disciplinary action, or both.

Definitions

- 1) An "electronic device" includes any type of computer or computer-like device (such as a tablet) as well as any "electronic communication device."
- 2) An "Electronic communication device" is an electronic device that can be used to record and/or transmit (on either a real time or delayed basis) text, video or still images, sound, or other information. Examples of electronic

communication devices include mobile telephones, “smart” telephones, Personal Digital Assistants (PDAs), two-way radios, video broadcasting devices and pagers.

- 3) A “District electronic communication device” is an electronic communication device which is owned by the District or the fees for which are paid by the District.

Eligible Users

District electronic communication devices are to be used only by district employees. All employees requiring the use of a District electronic communication device shall read this policy and sign the declaration of having done so which is Exhibit 1 to this policy.

Acceptable Use

Electronic communication devices owned by the District, or any electronic communication device used to conduct District business, must be used in accordance with the following standards:

- 1) District electronic communication devices are to be used only for District business. Personal use of these devices is prohibited except in emergency situations or with pre-approval from the Superintendent or school principal or designee. In the event personal calls are made or received on a District electronic communication device, including personal emergency calls, the employee must reimburse the District for all costs incurred.
- 2) District electronic communication devices are valuable and should be handled with care. Loss, theft, or damage to a District electronic communication device must be reported immediately to the user’s supervisor. If loss, theft, or damage occurs as a result of employee negligence, the employee to whom the device is assigned will be responsible for reimbursing the District for repair or replacement costs.
- 3) District electronic communication devices are to be used in an ethical and responsible manner. No employee is to use a District electronic communication device for the purpose of illegal transactions, harassment, obscene or offensive behavior, to access or create pornographic or inappropriate material, for unauthorized access to an electronic network or files (“hacking” or similar unlawful behavior) or other violations of District policies or federal, state, or local laws, regardless of whether the device is located on District property when the misuse occurs or is located elsewhere.

Utah Admin. Rules R277-495-4.A(3), (5) (April 7, 2013)

- 4) If the employee assigned to use the District electronic communication device does not return the device and/or related equipment when requested, the employee will be required to reimburse the District for the purchase price of the device and/or related equipment.
- 5) Employees have no expectation of privacy in using District electronic communication devices. Such devices and all information contained on them may be inspected or searched at any time, either directly or remotely. Employees are prohibited from operating District devices in such a way as to conceal the use which has been made of the device, nor may employees install or permit installation of software or other means to accomplish the same purpose. Employees should be aware that a personal electronic communication device which is used to conduct District business may become subject to public records requests or other legally required disclosure to the extent of such use.
- 6) District electronic communication devices should be used judiciously during instructional time or at school-sponsored programs, meetings, in-services, parent(s)/guardian(s) conferences, or any other time where there would be a reasonable expectation of quiet attentiveness.
- 7) District electronic communication devices are to be used in a safe manner. Employees should not use these devices while operating a non-District motor vehicle except to the extent permitted by governing motor vehicle or other laws. (Restrictions on use of electronic communication devices while operating District vehicles are set out in Policy DMA.)

Misuse of District Owned Electronic Communication Device

An employee who is issued or provided a District electronic communication device by the District remains at all times responsible for that device. The employee will be held responsible for use or misuse of the device by the employee or by anyone else, except for uses occurring after the employee has given the District notice that the device has been lost or stolen. Consequences of misusing a District electronic communication device may include adverse employment action up to and including termination from employment.

Utah Admin. Rules R277-495-4.C(2) (April 7, 2013)

Responsibility for Device Cancellation Charges

If an employee misuses a District electronic communication device or leaves District employment, the employee may be responsible for fees or charges associated with cancellation of the service contract.

If the Superintendent or designee determines that the employee no longer needs a District electronic communication device to perform the employee’s job responsibilities, any fees or charges associated with cancellation of the service contract shall be the responsibility of the District.

Term of Instruction: School Year**Length of School Year**

The schools of the District shall be in operation for at least 180 instructional days. However, the Board may authorize individual schools to operate on a year-round, 45 day/15 day schedule of 172 instructional days as authorized by State Office of Education regulation. Additionally, the State Board of Education may grant a waiver to allow for a four-day school week. In any case, the school year shall consist of at least 990 instructional hours during each school year. The Board may reallocate up to 32 instructional hours or 4 school days for teacher preparation time or professional development by a two-thirds majority vote of the Board in a properly noticed and held public meeting. If a reallocation is made, parents and guardians shall be notified of the school calendar at least 90 days before the beginning of the school year.

Utah Admin. Rules R277-419-1.M, -4, -5.C(3), 8.D (October 9, 2012)

Utah Code § 53A-17a-103(4) (2014)

Semester Basis

The District shall operate on a quarter or semester basis and shall adhere to the requirements of the appropriate curriculum prepared by the State Board of Education.

Beginning Date

Student attendance for the first semester of the regular school term shall be established by the Board pursuant to a calendar adopted annually.

Emergency Closures

The annual school calendar adopted by the Board shall include sufficient additional instructional days in addition to the minimum numbers stated above so that when disaster, flood, extreme weather conditions, fuel curtailments, or other calamities have caused the closing of schools, the instructional days and hours shall meet the minimum established by the State Board despite required school closures.

Utah Admin. Rules R277-419-8B (October 9 2012)

Parent-teacher and SEOP conferences

With Board approval, schools may conduct parent-teacher and SEOP conferences during the day and the time for those conferences may be counted as instructional time up to the equivalent of three full school days or 16.5 hours during a school year.

Curriculum: Required Instruction**Required Core Curriculum**

The District's curriculum shall at least meet the minimum requirements of state law and State Board rules. Those minimum requirements are to contain the essential elements of each subject at appropriate grade levels. The essential elements represent the core knowledge, skills, and competencies all students should learn to be effective and productive members of society. The District may add elements at its discretion, but shall not delete or omit instruction in the essential elements.

In addition, the District shall provide character education in connection with regular schoolwork, through an integrated curriculum approach. Instruction in this area shall emphasize honesty, temperance, morality, courtesy, obedience to law, respect for and an understanding of the constitutions of the United States and the state of Utah, the essentials and benefits of the free enterprise system, respect for parents and home, and the dignity and necessity of honest labor and other skills, habits, and qualities of character which will promote an upright and desirable citizenry and better prepare students for a richer, happier life.

As required by statute, the District shall report to the lieutenant governor and the Commission on Civic and Character Education each year by December 30 a report summarizing how civic and character education are achieved in the District through an integrated school curriculum and in the regular course of school work.

Utah Code Ann. § 53A-13-109(6) (2011)

K-6 Core Curriculum

The general core curriculum in grades K-6 shall consist of:

- 1) Grades K-2:
 - a) Reading/Language Arts
 - b) Mathematics
 - c) Integrated Curriculum
- 2) Grades 3-6
 - a) Reading/Language Arts
 - b) Mathematics
 - c) Science
 - d) Social Studies

- e) Arts;
 - i) Visual Arts
 - ii) Music
 - iii) Dance
 - iv) Theatre
- f) Health Education
- g) Physical Education
- h) Educational Technology
- i) Library Media

Utah Admin. R. R277-700-4 (November 8, 2010)

Grades 7-8 Core Curriculum

In grades 7-8, students shall take a minimum of 12 total units. The District shall teach, and each student shall take, the following units:

- 1) Language Arts – 2 units.
- 2) Mathematics – 2 units.
- 3) Science – 1.5 units.
- 4) Social Studies – 1.5 units.
- 5) The Arts – 1.0 units.
 - a) Visual Arts
 - b) Music
 - c) Dance
 - d) Theatre
- 6) Physical Education – 1.0 units.
- 7) Health Education – 0.5 units.
- 8) Career and Technical Education, Life, and Careers — 1.0 units.

Utah Admin. Rules R277-700-5.B (June 7, 2012)

Grades 9-12 Core Curriculum

The minimum number of core curriculum credits required for students in grades 9-12 shall be 18.5 as follows:

- 1) Language Arts – 4 units.
 - a) Ninth grade level (1 unit);
 - b) Tenth grade level (1 unit);
 - c) Eleventh grade level (1 unit); and
 - d) Applied or advanced language arts credit (1 unit), consistent with the student's SEOP, from a list of courses approved by the Board of Education and the State Office of Education, which courses
 - i) Are within the field/discipline of language arts, with a significant portion of instruction aligned to language arts content, principles, knowledge, and skills;
 - ii) Provide instruction that leads to student understanding of the nature and disposition of language arts;
 - iii) Apply the fundamental concepts and skills of language arts;
 - iv) Provide developmentally appropriate content; and
 - v) Develop skills in reading, writing, listening, speaking, and presentation.
- 2) Mathematics – 3 units.
 - a) This requirement shall be met minimally through successful completion of a combination of the foundation or foundation honors courses, Algebra I, Geometry, Algebra II, Secondary Mathematics I, Secondary Mathematics II, and Secondary Mathematics III, as determined by the student's SEOP. After the 2014-15 school year the requirement shall be met through successful completion of the foundation or foundation honors courses Secondary Mathematics I, Secondary Mathematics II, and Secondary Mathematics III.
 - b) With a written request from the student's parent or guardian, a student may opt out of Algebra II or Secondary Mathematics III. In that case, the student shall successfully complete another mathematics course from among the advanced and applied mathematics courses on the State Board of Education's list of approved mathematics courses.
 - c) 7th and 8th grade students may earn credit for one of the mathematics foundation courses before 9th grade, consistent with the student's SEOP and if at least one of the following criteria are met:
 - i. The student is identified as gifted in mathematics on at least two different USOE-approved assessments;
 - ii. The student is dual enrolled at the middle school/junior high school and the high school;
 - iii. The student qualifies for promotion one or two grade levels above the student's age group and is placed in 9th grade; or
 - iv. The student takes the USOE competency test in the summer prior to 9th grade and earns high school graduation credit for the course.

- d) For other students (than those in the prior section) who earn credit for a foundation course before 9th grade, the student shall still fill the required 3 units of credit by successful completion of other mathematics courses approved by the State Board of Education, consistent with the student's SEOP, which courses
 - i. Are within the field/discipline of mathematics with a significant portion of instruction aligned to mathematics content, principles, knowledge, and skills;
 - ii. Provide instruction that leads to student understanding of the nature and disposition of mathematics;
 - iii. Apply the fundamental concepts and skills of mathematics;
 - iv. Provide developmentally appropriate content; and
 - v. Include the five process skills of mathematics: problem solving, reasoning, communication, connections, and representation.
 - e) A student who successfully completes a Calculus course has completed mathematics graduation requirements, regardless of the number of mathematics credits earned.
 - f) Students should consider taking additional credits during their senior year which align with their postsecondary career or college expectations. Those students who desire a four year college degree in a science, technology, engineering or mathematics career area should take a calculus course.
- 3) Science - 3 units, including:
- a) 2 units from the four science foundation areas:
 - i) Earth Systems Science – 1.0 units
 - ii) Biological Science – 1.0 units
 - iii) Chemistry – 1.0 units
 - iv) Physics – 1.0 units; and
 - b) 1 unit, consistent with the student's SEOP, from the foundation courses or a list of applied or advanced science courses approved by the Board of Education and State Office of Education, which courses
 - i) Are within the field/discipline of science with a significant portion of instruction aligned to science content, principles, knowledge, and skills;
 - ii) Apply the fundamental concepts and skills of science;
 - iii) Provide developmentally appropriate content;
 - iv) Include the areas of physical, natural, or applied sciences; and
 - v) Develop students' skills in scientific inquiry.
- 4) Social Studies—2.5 units including:
- a) Geography for Life—0.5 units
 - b) World Civilizations—0.5 units
 - c) U.S. History—1.0 units
 - d) U.S. Government and Citizenship—0.5 units
- 5) Arts - 1.5 units from any of the following areas:
- a) Visual Arts
 - b) Music
 - c) Dance
 - d) Theatre
- 6) Physical and Health Education—2.0 units including:
- a) Health—0.5 units
 - b) Participation Skills—0.5 units
 - c) Fitness for Life—0.5 units
 - d) Individualized Lifetime Activities (0.5 units) or team sport/athletic participation (maximum of 0.5 units with school approval)
- 7) Career and Technical Education – 1.0 units from among the following areas:
- a) Agriculture
 - b) Business
 - c) Family and Consumer Sciences
 - d) Health Science and Technology
 - e) Information Technology
 - f) Marketing
 - g) Technology and Engineering Education
 - h) Trade and Technical Education
- 8) Adult Roles and General Financial Literacy—1.0 unit (DSD only)
- 9) Educational Technology—0.5 units as follows:
- a) Computer Technology (0.5 units for the class of this name) or
 - b) At the school's discretion, for successful completion of a state-approved competency examination
- 10) Library Media Skills (integrated into the subject areas)

Elective Credits

In addition to the 18.5 core credits, students must complete a minimum of 5.5 elective credits to obtain the minimum of 24 credits needed for graduation.

Utah Admin. Rules R277-700-7E, F (November 8, 2010)

Assessment of Student Mastery of Core Curriculum

The Board of Education is responsible to provide students with access to the core curriculum established by the State Board of Education, and for students' mastery of that core curriculum. Student mastery of the core curriculum shall be evaluated through District participation in U-PASS testing as directed by the State Board of Education. Students who have not achieved mastery of the core curriculum will be provided remediation assistance as provided for by State statute and State Board of Education regulations.

Utah Admin. Rules R277-700 (November 8, 2010)

Utah Code Ann. 53A-1-603 (2013)

Utah Code Ann. 53A-13-104 (2013)

ECH 4280

Curriculum: Human Sexuality

Definitions

The following definitions apply in this policy:

1. "Curriculum materials review committee (committee)" means a committee formed at the District or school level, as determined by the Board of Education, that includes parents, health professionals, school health educators, and administrators, with at least as many parents as school employees. The membership of the committee shall be appointed and reviewed annually by August 1 of each year by the Board, shall meet on a regular basis as determined by the membership, shall select its own officers and shall be subject to the Utah Open and Public Meetings Act.
2. "Human sexuality instruction or instructional programs" means any course, unit, class, activity or presentation that provides instruction or information to students about sexual abstinence, human reproduction, reproductive anatomy, physiology, pregnancy, marriage, childbirth, parenthood, contraception, or HIV/AIDS and other sexually transmitted diseases. While these topics are most likely discussed in such courses as health education, health occupations, human biology, physiology, parenting, adult roles, psychology, sociology, child development, and biology, this rule applies to any course or class in which these topics are the focus of discussion. It also includes instruction on child sexual abuse prevention and awareness.
3. "Maturation education" means instruction and materials used to provide fifth or sixth grade students with age appropriate, accurate information regarding the physical and emotional changes associated with puberty, to assist in protecting students from abuse and to promote hygiene and good health practices.
4. "Medically accurate" means verified or supported by a body of research conducted in compliance with scientific methods and published in journals that have received peer review, where appropriate, and recognized as accurate and objective by professional organizations and agencies with expertise in the relevant field, such as the American Medical Association.

Utah Admin. Rules R277-474-1 (August 8, 2011)

Parental Permission Form Required for Participation

Students may not participate in any human sexuality instruction or instructional program unless, prior to the student's participation, the school has on file for that student a completed parental notification form relating to that specific instruction or program which indicates that the student's parent or guardian authorizes the student to participate. Completed permission forms shall be maintained in the student's educational records.

Utah Code Ann. § 53A-13-101(3)(a) (2004)

Utah Admin. Rules R277-474-1H (August 8, 2011)

Health and Human Sexuality Guidelines

All health and human sexuality education shall stress the importance of abstinence from all sexual activity before marriage and fidelity after marriage as methods of preventing sexually transmitted diseases. The curriculum and education shall also stress personal skills that encourage individual choice of abstinence and fidelity in marriage. At no time may instruction be provided, including responses to spontaneous questions raised by students, regarding any means or methods that facilitate or encourage the violation of any state or federal criminal law by a minor or an adult. Nothing in this policy precludes an educator from responding to a spontaneous question provided that the response is consistent with this policy.

Utah Code Ann. § 53A-13-101(1)(b) (2004)

The following may not be taught in District schools:

- 1) the intricacies of intercourse, sexual stimulation, or erotic behavior;
- 2) the advocacy of homosexuality;
- 3) the advocacy or encouragement of the use of contraceptives methods or devices; or

- 4) the advocacy of sexual activity outside of marriage

Utah Admin. Rules R277-474-3A (August 8, 2011)

Sexual Abuse Prevention and Awareness

Beginning with the 2016-17 school year, schools in the District shall provide instruction to elementary school students on child sexual abuse prevention and awareness using the instructional materials approved by the State Board of Education for that purpose. However, before an individual student may receive this instruction, the student's parent or guardian must be notified in advance of the instruction and the content of the instruction and of the parent or guardian's right to have the student excused from the instruction, given an opportunity to review the instruction materials, and be allowed to be present when the instruction is delivered. A parental permission form (as outlined above) must be received for each student before that student receives the instruction. Upon the written request of a parent or guardian, a student shall be excused from the instruction.

Utah Code § 53A-13-112(4), (5) (2014)

Instructional Staff Training and Inservice

District staff who have responsibility for some aspect of human sexuality instruction in the District may include administrators, teachers, counselors, teacher's assistants, or coaches, but are not necessarily limited to those categories. In their first year of service or assignment, all newly hired or newly assigned District staff who have responsibility for any aspect of human sexuality instruction in the District will attend a State-sponsored inservice outlining the human sexuality curriculum and the criteria for human sexuality instruction in any courses offered in the public education system.

All District staff who have any responsibility for any aspect of human sexuality instruction in the District will attend District training outlining the human sexuality curriculum and the criteria for human sexuality instruction in any courses offered in the public education system at least once every three (3) years.

Utah Admin. Rules R277-474-1I (August 8, 2011)

Utah Admin. Rules R277-474-5A, B (August 8, 2011)

Adoption of District Human Sexuality Instructional Materials

The Board of Education hereby adopts for use in the schools of the District the human sexuality instructional materials recommended by the Utah State Office of Education. All human sexuality instruction in the District shall make use of those instructional materials.

Utah Code Ann. § 53A-13-101(1)(c) (2004)

Utah Admin. Rules R277-474-4C (August 8, 2011)

Monitoring of Human Sexuality Instruction

Each school in the District shall log and track all parental or community complaints and comments resulting from student participation in human sexuality instruction in the school, including disposition of any complaints made. This information shall be provided to District administration on a monthly basis during the school year.

District administration shall compile and maintain records of parental or community complaints and comments resulting from student participation in human sexuality instruction in the District, including disposition of complaints, and shall provide that information to the Utah State Office of Education upon request.

Utah Admin. Rules R277-474-5B(7), -7C (May 18, 2012)

EHA 4700

Graduation: Graduation Requirements

Diplomas or Certificate of Completion

The District will award one of the following diplomas or certificates of completion to students who complete the requirements as follows:

- 1) High School Diploma
 - a. Successful completion of the core curriculum and all state course requirements.
 - b. Successful completion of 5.5 credits beyond the core curriculum as required by District policy.
- 2) Certificate of Completion
 - a. Completion of senior year;
 - b. Exiting the school system; and
 - c. Have not met all state or District requirements for a diploma

1. Utah Admin. Rules R277-705-4 (November 7, 2013)

Adult education students will be awarded diplomas as set forth in Policy EHE 4710.

Special Education Students

Special education students shall satisfy high school completion or graduation criteria, consistent with state and federal law and the student's IEP. Such students may be awarded a certificate of completion or a diploma as set forth above, consistent with state and federal law and the student's IEP or Section 504 plan.

Utah Admin. Rules R277-705-5 (May 18, 2012)

Methods of Obtaining Credit

Credits towards graduation may be obtained and recorded on the student's transcript by the following methods:

- 1) Successful completion of courses in the high schools of the District.
- 2) Successful completion of concurrent-enrollment college courses.
- 3) Satisfaction of coursework by demonstrated competency under policies established by the District following appropriate review.
- 4) Successful completion of assessment tests in particular subject areas, as established by District policy.
- 5) Evaluation of student work or projects consistent with District or school procedures and criteria.
- 6) Successful completion, as determined by the District or school, of correspondence or electronic coursework offered by accredited educational institutions with prior approval by the District or school to the extent practicable.
- 7) Transfer credits for successfully completed courses from the Utah Electronic High School and from any school accredited by the State Board of Education or by the Northwest Association of Accredited Schools, which credits shall be accepted as issued by the school, without alteration.

Utah Admin. Rules R277-705-4 (May 18, 2012)

Utah Code Ann. § 53A-13-108.5 (2006)

Utah Code Ann. § 53A-15-1003(2) (2006)

Notice of Credit Requirements

Each school within the District shall provide to the parent(s) or legal guardian(s) of each student enrolling in the school specific and adequate notice of the District's requirements and limitations for awarding credit, including credits transferred from other schools or education providers and credits awarded from other sources under this policy.

Utah Admin. Rules R277-705-3A (November 7, 2013)

FBB 5110

Admissions and Attendance: Compulsory Education

Definitions

- 1) "Excused Absence or Valid Excuse" means:
 - a) an absence resulting from:
 - i) illness;
 - ii) death of family member;
 - iii) an approved school activity; or
 - iv) any other reason established by the district as valid.
 - a) In determining whether to pre-approve an extended absence of a student as a valid excuse, the district shall approve the absence if the district determines that the absence will not adversely impact the student's education.
 - b) In determining whether to excuse an absence for attendance at a family event or to visit a health care provider, the school shall reasonably accommodate a written parent request to excuse the absence without requiring a note from the health care provider. (See Policy GCE regarding "reasonable accommodation".)
 - b) an absence permitted by a student's:
 - i) individualized education program, developed pursuant to the Individuals with Disabilities Education Improvement Act; or
 - ii) accommodation plan, developed pursuant to Section 504 of the Rehabilitation Act.

Utah Code Ann. § 53A-11-101(9)(2007)
Utah Code Ann. § 53A-15-1503(5)(a) (2014)
- 2) "Home School" means a school comprised of one or more students officially excused from compulsory public school attendance under this policy and Utah Code Ann. § 53A-11-102.

Utah Admin. Rules R277-438-1 (November 10, 2008))
- 3) "Private School" means a school satisfying the following criteria:
 - a) maintained by private individuals or entities;
 - b) maintained and operated not at public expense;
 - c) generally supported, in part at least, by tuition fee or charges;
 - d) operated as a substitute for, and giving the equivalent of, instruction required in public schools;
 - e) employs teachers able to provide the same quality of education as public school teachers;
 - f) established to operate indefinitely and independently, not dependent upon the age of the students available or upon individual family situations; and
 - g) licensed as a business by the Utah Department of Business Regulations.

Utah Admin. Rules R277-438-1 (November 10, 2008)
- 4) "Truant" means absent without a valid excuse or excused absence.

Utah Code Ann. § 53A-11-101(7)(2007)

Notice of Compulsory Education Attendance Laws

Prior to or no later than school registration, the parent or legal guardian of each student in grades 1-12 shall be provided written notice from the school or district informing the parents or legal guardians of Compulsory Education attendance laws, discipline or consequences progress; and opportunities to appeal disciplinary measures.

Utah Admin. Rules R277-607-4 (Nov. 10, 2008)

Compulsory Education

The parent or legal guardian of a student who is at least six (6) years of age and not more than eighteen (18) years of age, shall enroll and send his or her school-age minor to a public or regularly established private school during the school year of the district in which the student resides, unless exempted as indicated below. Attendance shall be in District schools or in some other district to which the student may legally be transferred, or in a regularly established private school. It is a class B misdemeanor for a parent or legal guardian to fail to enroll a school-age minor in school, unless exempted as indicated below. The District shall report violations of this policy to the appropriate city, county, or district attorney.

Utah Code Ann. § 53A-11-101.5 (2012)

Exemptions

Students who meet one or more of the following conditions to the satisfaction of the Board shall be exempt from compulsory attendance requirements and shall be given a certificate, issued by the Board, stating that the minor is excused from attendance during the time specified on the certificate:

- 1) A minor over age sixteen (16) may receive a partial release from school to enter employment, or to attend a trade school, if the minor has completed the eighth grade. Minors receiving this exemption must still attend school part-time as required by the Board or home school as permitted by 2.e. below.
- 2) On an annual basis, a minor under eighteen (18) years of age may receive a full release from attending a public, regularly established private or part-time school or class if one of the following is established to the Board's satisfaction:
 - a) The minor has already completed the work required for graduation from high school or has demonstrated mastery of the skills and competencies required for graduation from high school in accordance with Utah Code Ann. § 53A-15-102(1).
 - b) The minor is in a physical or mental condition, certified by a competent physician if required by the Board, which renders attendance inexpedient and impracticable.
 - c) Proper influences and adequate opportunities for education are provided in connection with the minor's employment.
 - d) The Superintendent determines that the minor, if over age sixteen (16), is unable to profit from attendance at school because of inability or a continuing negative attitude toward school regulations and discipline.
 - e) The minor's parent files a signed affidavit with the minor's school district of residence that the minor will attend a home school and receive instruction in the subjects prescribed by the State Board of Education in accordance with the law and for the same length of time as minors are required by State Board of Education rule to be taught in public schools. A minor receiving a partial release in order to enter employment under item (1) above may be excused from attending required part-time school to attend home school part time.
 - i) Subject to the requirements of Subsection (e) discussed above, a parent of a minor who attends a home school is solely responsible for:
 1. the selection of instructional materials and textbooks;
 2. the time, place, and method of instruction, and
 3. the evaluation of the home school instruction.
 - ii) A local school board may not:
 1. require a parent of a minor who attends a home school to maintain records of instruction or attendance;
 2. require credentials for individuals providing home school instruction;
 3. inspect home school facilities; or
 4. require standardized or other testing of home school students.

Utah Code Ann. § 53A-11-102 (2009)

Certificate of Exemption from Public School Attendance

When the Board excuses a minor from public school attendance pursuant to an exemption other than for home schooling, the Board shall issue a certificate stating that the minor is excused from attendance during the time specified on the certificate. When the Board excuses a minor from attendance under the home school exemption, the Board shall annually issue a certificate excusing the minor from attendance for the specified school year. The certificate shall be issued within 30 days after the initial receipt of the parent or guardian's signed and notarized affidavit filed by the minor's parent pursuant to Subsection (2)(e). The Board shall issue additional certificates on or before August 1 of each year thereafter unless (1) the minor enrolls in a District school, (2) the parent or guardian notifies the District that the minor no longer attends a home school, or (3) the parent or guardian notifies the District that the minor's district of residence has changed.

Utah Code § 53A-11-102 (2012)

School Efforts to Resolve Attendance Problems

The parent(s) of all students in grades 1-12 shall be provided written notice from the school or district informing parents of Compulsory Education attendance laws and encouraging parental cooperation.

- 1) A student registering in the school district during the school year shall be provided written notice explaining the school and school district's compulsory education policy.
- 2) A student moving from one school to another within the same district may be provided written notice explaining the school and school district's compulsory education policy.

Utah Admin. Rules R277-607-4 (October 10, 2007)

The District shall make reasonable efforts to resolve the school attendance problems of its students, including the following, as deemed reasonably feasible by the Board or its designee in individual cases:

- 1) counseling of the student by school authorities;
- 2) issuing a Notice of Truancy;
- 3) issuing a Notice of Compulsory Education Violation (see below);
- 4) adjusting the curriculum and schedule if determined necessary to meet special needs of the student;
- 5) considering alternatives proposed by the parent or legal guardian;
- 6) monitoring school attendance of the student;
- 7) voluntarily participating in truancy mediation, if available;
- 8) providing the student's parent or legal guardian, upon request, a list of resources available to assist the parent or legal guardian in resolving the student's attendance problems; and
- 9) enlisting the assistance of community and law enforcement agencies as appropriate.

This policy and related statute do not impose any civil liability on the school district or its employees.

Utah Code Ann. § 53A-11-103 (2012)

Notice of Compulsory Education Violation

A school administrator, a designee of the school administrator, a law enforcement officer acting as a school resource officer, or a truancy specialist may issue a notice of compulsory education violation to a parent of a student, who is at least six (6) years old but under the age of fourteen (14), if the student is truant at least five (5) times during the school year.

The notice of compulsory education violation shall:

- 1) direct the student's parent or legal guardian to meet with designated school authorities to discuss the student's attendance problems and cooperate with the District to secure regular attendance by the student.
- 2) specify the school authorities with whom the parent is required to meet.
- 3) state that it is a class B misdemeanor for the student's parent or legal guardian to intentionally or recklessly fail to meet with the designated school authorities to discuss the student's attendance problems or fail to prevent the student from being truant an additional five (5) or more times during the remainder of the school year.
- 4) be served on the student's parent or legal guardian by personal service or certified mail.

The District shall report violations of this policy to the appropriate city, county, or district attorney.

Utah Code Ann. § 53A-11-101.5 (2012)

Notice of Truancy

A student is truant who is absent from school without a valid excuse. The District may authorize school administrators, a designee of the school administrator, a law enforcement officer acting as a school resource officer, or a truancy specialist to issue a notice of truancy to any student who is at least twelve (12) years of age and has been truant at least five (5) times during the school year.

The notice of truancy shall:

- 1) Identify each of the five (5) or more dates when the student was truant.
- 2) Direct the student and his or her parent or legal guardian to meet with the designated school authorities and cooperate with the school in securing regular attendance by the student;
- 3) Allow for contesting the notice of truancy. If the student and/or his or her parent or legal guardian desires to contest the notice of truancy, the parent or legal guardian must meet with the principal or the principal's designee to voice any concerns about the accuracy of the notice of truancy. If the parent or legal guardian cannot meet with the principal or the principal's designee, he or she can submit a written review to the principal outlining the concerns about the accuracy of the notice of truancy. After reviewing the concerns, the principal shall make a determination to either revise or affirm each of the dates when the student was allegedly truant. The principal's determination is final. The principal shall notify the parent or legal guardian of the determination. If the principal affirms the notice of truancy, the principal shall direct the parent or legal guardian to follow step 2 outlined above.
- 4) Be mailed to, or served on, the student's parent or legal guardian.

1. Utah Code § 53A-11-101.7 (2014)

Habitual Truant Citation

A "habitual truant" is a student, twelve (12) years of age or older, who fails to cooperate with efforts on the part of school authorities to resolve the student's attendance problem as outlined above and/or has been absent without valid

excuse ten (10) or more times during one school year. A habitual truant citation may be issued by a designated school administrator, a designee of the school administrator, a law enforcement officer acting as a school resource officer, or truancy specialist to a habitual truant after reasonable efforts have been made by the school to resolve the school attendance problems of the student, as outlined above, and these efforts have not been successful. However, a habitual truant citation may not be issued to a student who is at least 16 years old and has at least a 3.5 cumulative grade point average.

After issuing a habitual truant citation, the school shall refer the habitual truant to juvenile court. The habitual truant is subject to the jurisdiction of the juvenile court.

Utah Code § 53A-11-101.7(5) (2014)

Utah Admin. Rules R277-607-4 (Oct. 10, 2007)

Other Actions to Resolve Attendance Problems

Nothing in the Notice of Truancy policy or Habitual Truant Citation policy shall prohibit a school from taking action to resolve a student's attendance problems prior to five (5) absences without valid excuses, providing the action does not conflict with the requirements of these policies.

Utah Code § 53A-11-101.7 (2014)

Truancy Specialist

The Board may appoint and determine compensation for a truancy specialist to assist in enforcing laws related to school attendance, and to perform other duties prescribed by law or the Board.

Utah Code § 53A-11-104 (2007)

Duties and Powers

The truancy specialist may:

- 1) Investigate all cases of unexcused absences from school.
- 2) Enforce provisions of the compulsory attendance law.
- 3) Keep written records of all cases of any kind investigated by the truancy specialist in the discharge of his or her duties.
- 4) Follow and assist the school in the designation of habitually truant students pursuant to policy FBD.

Custody

The truancy specialist or a school administrator may take a minor into temporary custody if there is reason to believe the minor is a truant minor.

Utah Code § 53A-11-105(1) (2008)

If the truancy specialist or a school administrator takes a child into custody, the truancy specialist or administrator shall, without unnecessary delay, release the child to one of the following:

- 1) The Principal of the child's school.
- 2) Any person designated by the Board to receive the child and return him or her to school.
- 3) A designated receiving center of the District.

Utah Code § 53A-11-105(2) (2008)

If the child refuses to return to school or to go to the receiving center, the officer or administrator shall, without unnecessary delay, notify the child's parents, guardian or custodian and release the child to their custody. If the parents, guardian or custodian cannot be reached or are unable or unwilling to accept custody, the child shall be referred to the Division of Child and Family Services.

Utah Code § 53A-11-105(3), (4) (2008)

FBF 5160

Re-entry into Public Schools

Students Returning from Private or Home Schools

Students who have not been enrolled in public school but have been enrolled in private school or home school shall be admitted to the District's public school upon application to the district by the parents, subject to all eligibility requirements imposed by District policy and state and federal law and regulation.

Placement

Students requesting re-admission from private schools or home schools shall be placed as follows:

Students returning from accredited private schools shall be placed according to the grade level and credits shown on the records from the prior school. Students returning from a non-accredited private school which is not a home school shall be evaluated using assessment tools regularly administered to students and placed according to the results of that assessment.

Students returning from a home school shall be placed in the grade level, classes, or courses that the student's parent or guardian, in consultation with the school administrator, determine are appropriate based on the parent or guardian's assessment of the student's academic performance. Within 30 days of placement, either the student's teacher or the student's parent or guardian may request a conference to consider changing the student's placement. If after conferring the teacher and the parent or guardian agree on a placement change, the change will be made. If disagreement remains about a placement change, then the student's subject matter mastery shall be evaluated. The parent or guardian may

choose either (a) to have the school evaluate the student using assessments that are regularly administered to public school students and used to measure subject matter mastery and determine placement, or (b) to have a private entity or individual evaluate the student with subject matter assessments at the parent or guardian's expense. After a student's subject matter mastery has been evaluated, the school may change the student's placement in a grade level, class, or course.

Utah Code § 53A-11-102.7 (2014)

Graduation Requirements—Students entering the 9th, 10th, 11th, or 12th grade levels after participation in home or private school will be required to fulfill all graduation requirements in order to receive a diploma. The District will not accept home education as credit toward graduation. The District will accept credit toward graduation from an accredited regularly established private school.

Students may fulfill graduation credits by successfully completing courses required for credit (including approved on-line or correspondence course work), by transfer of credits from accredited schools or providers, or by demonstrating proficiency via assessment tests or evaluation of student work or projects.

Utah Admin. Rules R277-703 (Nov. 7, 2013)

FDEA 5242

Wellness Policy: Food Sales

The following definitions apply in this policy:

1. "School day" means the period from midnight before a school day to thirty minutes after the end of the official school day.
2. "School campus" means all areas of the school property which are accessible to students during the school day.
3. "Available for sale" means the item may be exchanged for currency (in any form), tokens, or tickets.
4. "Competitive food" means all food and beverages available for sale to students on the school campus during the school day except for meals reimbursed under the National School Lunch Program or School Breakfast Program.

7 CFR § 210.11(a)

Required Nutrition Standards

All competitive food (as defined above) must meet the USDA nutrition standards unless it falls within one of the exemptions below. A summary of the competitive food nutrition standards is attached as Appendix A.

7 CFR § 210.11(c)

Exemptions from Standards

The following are exempt from compliance with the competitive food nutrition standards:

1. Any entrée item which is offered as part of the school lunch or school breakfast program, when offered as competitive food on the day, or on the following school day, that it is also offered as part of the school lunch or school breakfast program. Such competitive food offerings must be offered in the same or smaller portion sizes as the lunch or breakfast program offerings. However, side dishes offered as part of the lunch or breakfast program and served à la carte must meet the competitive food nutrition standards.
2. Sugar free chewing gum
3. Specially exempted fundraisers. Competitive food may be sold as part of an infrequent fundraiser sponsored by the school. The allowed number of such excepted fundraisers will be established by the State Office of Education. If no limit has been established by the State Office of Education, no exempted fundraisers are permitted. Any competitive food sold as part of a fundraiser which is not exempted must meet the competitive food nutrition standards.

7 CFR § 210.11(b)(4), (c)(3)

Food and Beverages Not Subject to Regulation

The Smart Snacks in Schools regulations apply to food and beverages sold to students on the school campus during the school day. The following are not within the scope of this regulation and are not required to meet the competitive food nutrition standards:

1. Food and beverages which are not sold. This includes food or beverages which are brought to school by students (home lunches, for example). It also includes food or beverages which are given to students without the exchange of any currency, tokens or tickets (for example, snacks or treats given out in connection with a birthday celebration)
2. Food and beverages sold after the school day. This includes food and beverages sold during the time period beginning 30 minutes after the end of the official school day until midnight (a common example would be concessions sold during an evening athletic event)
3. Food and beverages not sold on the school campus. The school campus is defined as all areas which are accessible to students. Food or beverages sold in areas which are not accessible to students (which might for example include a teacher's lounge) are not required to meet the nutrition standards.

4. Food and beverages not sold to students. Food or beverages sold to persons other than students (for example, parents or school staff) are not required to meet the nutrition standards.

Food Sales: Appendix A
Summary of Competitive Food Standards

Food/Nutrient	Standard	Exemptions to the Standard
General Standard for Competitive Food.	To be allowable, a competitive FOOD item must: (1) meet all of the proposed competitive food nutrient standards; and (2) be a grain product that contains 50% or more whole grains by weight or have whole grains as the first ingredient*; or (3) have as the first ingredient* one of the non-grain main food groups: fruits, vegetables, dairy, or protein foods (meat, beans, poultry, seafood, eggs, nuts, seeds, etc.); or (4) be a combination food that contains at least 1/4 cup fruit and/or vegetable; or (5) contain 10% of the Daily Value (DV) of a nutrient of public health concern (i.e., calcium, potassium, vitamin D, or dietary fiber). Effective July 1, 2016 this criterion is obsolete and may not be used to qualify as a competitive food. *If water is the first ingredient, the second ingredient must be one of items 2, 3 or 4 above.	<ul style="list-style-type: none"> ● Fresh fruits and vegetables with no added ingredients except water are exempt from all nutrient standards. ● Canned and frozen fruits with no added ingredients except water, or are packed in 100% juice, extra light syrup, or light syrup are exempt from all nutrient standards. ● Canned vegetables with no added ingredients except water or that contain a small amount of sugar for processing purposes to maintain the quality and structure of the vegetable are exempt from all nutrient standards.
NSLP/SBP Entrée Items Sold A la Carte.	Any entrée item offered as part of the lunch program or the breakfast program is exempt from all competitive food standards if it is sold as a competitive food on the day of service or the day after service in the lunch or breakfast program.	
Sugar-Free Chewing Gum	Sugar-free chewing gum is exempt from all competitive food standards.	
Grain Items	Acceptable grain items must include 50% or more whole grains by weight, or have whole grains as the first ingredient.	
Total Fats	Acceptable food items must have $\leq 35\%$ calories from total fat as served.	<ul style="list-style-type: none"> ● Reduced fat cheese (including part-skim mozzarella) is exempt from the total fat standard. ● Nuts and seeds and nut/seed butters are exempt from the total fat standard. ● Products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats are exempt from the total fat standard. ● Seafood with no added fat is exempt from the total fat standard. <p>Combination products are not exempt and must meet all the nutrient standards.</p>
Saturated Fats	Acceptable food items must have $< 10\%$ calories from saturated fat as served.	<ul style="list-style-type: none"> ● Reduced fat cheese (including part-skim mozzarella) is exempt from the saturated fat standard. ● Nuts and seeds and nut/seed butters are exempt from the saturated fat standard. ● Products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats are exempt from the saturated fat standard. <p>Combination products are not exempt and must meet all the nutrient standards.</p>
Trans Fats	Zero grams of trans fat as served (≤ 0.5 g per portion).	
Sugar	Acceptable food items must have $\leq 35\%$ of weight from total sugar as served.	<ul style="list-style-type: none"> ● Dried whole fruits or vegetables; dried whole fruit or vegetable pieces; and dehydrated fruits or vegetables with no

		<p>added nutritive sweeteners are exempt from the sugar standard.</p> <ul style="list-style-type: none"> • Dried whole fruits, or pieces, with nutritive sweeteners that are required for processing and/or palatability purposes (i.e., cranberries, tart cherries, or blueberries) are exempt from the sugar standard. • Products consisting of only exempt dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats are exempt from the sugar standard.
Sodium	<p>Snack items and side dishes sold a la carte: ≤ 230 mg sodium per item as served. Effective July 1, 2016 snack items and side dishes sold a la carte must be: ≤ 200 mg sodium per item as served, including any added accompaniments.</p> <p>Entrée items sold a la carte: ≤ 480 mg sodium per item as served, including any added accompaniments.</p>	
Calories	<p>Snack items and side dishes sold a la carte: ≤ 200 calories per item as served, including any added accompaniments.</p> <p>Entrée items sold a la carte: ≤ 350 calories per item as served including any added accompaniments.</p>	<ul style="list-style-type: none"> • Entrée items served as an NSLP or SBP entrée are exempt on the day of or day after service in the program meal.
Accompaniments	<p>Use of accompaniments is limited when competitive food is sold to students in school. The accompaniment must be included in the nutrient profile as part of the food item served and meet all proposed standards.</p>	
BEVERAGES		
Beverages in Elementary School	<ul style="list-style-type: none"> • Plain water or plain carbonated water (no size limit); • Low fat milk, unflavored (≤ 8 fl oz); • Non fat milk, flavored or unflavored (≤ 8 fl oz), including nutritionally equivalent milk alternatives as permitted by the school meal requirements; • 100% fruit/vegetable juice (≤ 8 fl oz); and • 100% fruit/vegetable juice diluted with water (with or without carbonation), and no added sweeteners (≤ 8 fl oz). 	
Beverages in Middle School	<ul style="list-style-type: none"> • Plain water or plain carbonated water (no size limit); • Low-fat milk, unflavored (≤ 12 fl oz); • Non-fat milk, flavored or unflavored (≤ 12 fl oz), including nutritionally equivalent milk alternatives as permitted by the school meal requirements; • 100% fruit/vegetable juice (≤ 12 fl oz); and • 100% fruit/vegetable juice diluted with water (with or without carbonation), and no added sweeteners (≤ 12 fl oz). 	
Beverages in High School	<ul style="list-style-type: none"> • Plain water or plain carbonated water (no size limit); • Low-fat milk, unflavored (≤ 12 fl oz); • Non-fat milk, flavored or unflavored (≤ 12 fl oz), including nutritionally equivalent milk alternatives as permitted by the school meal requirements; 	

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| <ul style="list-style-type: none"> • 100% fruit/vegetable juice (≤ 12 fl oz); • 100% fruit/vegetable juice diluted with water (with or without carbonation), and no added sweeteners (≤ 12 fl oz); • Other flavored and/or carbonated beverages (≤ 20 fl oz) that are labeled to contain ≤ 5 calories per 8 fl oz, or ≤ 10 calories per 20 fl oz; and • Other flavored and/or carbonated beverages (≤ 12 fl oz) that are labeled to contain ≤ 40 calories per 8 fl oz, or ≤ 60 calories per 12 fl oz. |
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FDACD 5347

Medical Recommendations by School Personnel to Parents

Medical Recommendations by School Personnel Testing

Licensed employees may provide information and observations to a student's parents or guardians about the student's:

- 1) progress;
- 2) health and wellness;
- 3) social interactions; and/or
- 4) behavior.

Licensed employees and other instructional personnel may complete a behavioral/health evaluation form if requested by a student's parent or guardian to provide information to a licensed physician.

In addition, a school employee may communicate information and observations between school personnel regarding a student. School employees may also refer a student to other appropriate school personnel and agents, including referrals and communication with a school counselor or other mental health professionals working within the school.

If a school employee believes a student is at risk of (a) attempting suicide, (b) physical self-harm, or (c) harming others, then the employee may question the student about the suicidal thoughts, self-harming behavior, or thoughts of harming others in order to refer the student to appropriate prevention services and to inform the student's parent or guardian. However, the questioning shall be limited to that which is necessary for referral to prevention services or to make the parent or guardian aware of the perceived risk. (See Policy FEA)

Utah Code § 53A-13-302(7) (2014)

If a school employee believes that a situation exists which presents a serious threat to the well-being of a student, that employee shall notify the student's parent or guardian without delay. The school employee may consult or use appropriate health care professionals in the event of an emergency while the student is at school, consistent with the student emergency information provided at student enrollment.

The school shall notify the parent or guardian of a student who:

1. threatens to commit suicide; or
2. is involved in an incident of bullying, hazing, cyber-bullying, harassment or retaliation (whether as a victim or as a perpetrator).

The school shall produce and maintain a record that verifies that the parent or guardian was notified of the threats or incidents listed above. The record is a private record for purposes of the Government Records Access and Management Act. The record may not be used by the school for the school's own purposes.

The process for notifying a parent or guardian shall consist of:

1. The school principal or designee shall attempt to make personal contact with a parent or guardian when the school has notice of a threat or incident listed above. It is recommended that the parent be informed of the threat or incident with two school people present. If personal contact is not possible, the parent or guardian may be contacted by phone. A second school person should witness the phone call.
2. Contact with the parent or guardian must be documented in a "Verification of Parent or Guardian Contact Regarding Threat or Incident."

(A copy of the "Verification of Parent or Guardian Contact Regarding Threat or Incident" is attached below.) At the request of a parent or guardian, a school may provide information and make recommendations related to an incident or threat.

Utah Code Ann. § 53A-11-605 (2013)

Utah Code Ann. § 53A-11a-203 (2013)

Schools Cannot Require Students to Take a Specific Medication or Treatment

School employees shall not require that a student take or continue to take a specific medication, whether over-the-counter or prescription medicine, as a condition for attending school.

This policy does not include immunizations against communicable diseases as required by the Department of Health as a prerequisite to school attendance. See Policy FDAB 5310.

School employees may not:

- 1) recommend to a parent or guardian that a student take or continue to take a psychotropic medication;
- 2) require that a student take or continue to take a psychotropic medication as a condition for attending school;
- 3) recommend that a parent or guardian seek or use a type of psychiatric or psychological treatment for a student;
- 4) conduct a psychiatric or behavioral health evaluation or mental health screening, test, evaluation, or assessment of a student, except when necessitated to meet the requirements of the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq., and its subsequent amendments; or
- 5) make a child abuse or neglect report to authorities, including the Division of Student and Family Services, solely or primarily on the basis that a parent or guardian refuses to consent to:
 - a) a psychiatric, psychological, or behavioral treatment for a student, including the administration of a psychotropic medication to a student; or
 - b) a psychiatric or behavioral health evaluation of a student.
 - i) However, school employees may make a report that would otherwise be prohibited under Subsection (5) if failure to take the action described under Subsection (5) would present a serious, imminent risk to the student's safety or the safety of others.

Utah Code Ann. § 53A-11-605 (2013)

School Mental Health Professionals and Counselors Can Recommend Treatment or Evaluation

A school counselor or other mental health professional acting in accordance with the Mental Health Professional Practice Act, or licensed through the State Board of Education, working within the school system may:

- 1) recommend, but not require, a psychiatric or behavioral health evaluation of a student;
- 2) recommend, but not require, psychiatric, psychological, or behavioral treatment for a student;
- 3) provide to a parent or guardian, upon the specific request of the parent or guardian, a list of three or more health care professionals or providers, including licensed physicians, psychologists, or other health specialists; and
- 4) conduct a psychiatric or behavioral health evaluation or mental health screening, test, evaluation, or assessment of a student; however, prior written consent of the student's parent or guardian and a two-week minimum notification period are required prior to conducting the behavioral health evaluation or mental health screening, test, evaluation, or assessment. A parent or guardian may waive the two week minimum notification period. See Policy 5410.

Utah Code Ann. § 53A-11-605 (2013)

Utah Code Ann. § 53A-13-302 (2013)

Training and Discipline

Each school shall provide training to the appropriate personnel on the proper application of this policy. An intentional violation of this policy shall be dealt with according to the provisions of Policy DHA 3530—Orderly School Termination for Employees.

Utah Code Ann. § 53A-11-605 (2013)

VERIFICATION OF PARENT OR GUARDIAN CONTACT REGARDING THREAT OR INCIDENT

I, [Name] _____, principal or principal's designee, contacted [Name of parent or guardian] on [Date] _____ and notified him or her that [Name of student] _____ has made suicidal threats or was involved in an incident of bullying, hazing, cyber-bullying, harassment or retaliation. Contact was made:

[☐] in person; or

[☐] by telephone.

[Name of school staff member] _____, witnessed the contact.

Principal or Principal's Designee

Title

Date

School Staff Member

Title

Date

Education and Family Privacy

Prohibited Disclosure or Psychological Testing

The School District prohibits the administration of any psychological or psychiatric examination, test, treatment, survey, analysis or evaluation or the obtaining or disclosing of defined information in curriculum or other school activities unless the student's parent or legal guardian has been given prior written notice and the School District has obtained consent as defined in this policy if such disclosure would tend to reveal information concerning the student's or a family member's:

- 1) political affiliation or philosophies;
- 2) mental or psychological problems;
- 3) sexual behavior, orientation or attitudes;
- 4) illegal, anti-social, self-incriminating or demeaning behavior;
- 5) critical appraisals of individuals with whom the student or family member has close family relationships'
- 6) religious affiliation or beliefs;
- 7) legally recognized privileged and analogous relationships, such as those with attorneys, medical professionals or religious clerics; and
- 8) income, except as otherwise required by law.

Utah Code Ann. § 53A-13-302(1) (2014)

At least two weeks before the identified information is released, the parent or guardian of the affected student shall be given written notice of intent to obtain or disclose requested information, unless the matter has been reported to the Division of Family Services and the Division has asked that the information not be disclosed to the parent or legal guardian.

Utah Code Ann. § 53A-13-302 (2013)

The notice to the parent or guardian shall state the availability of written information concerning:

- 1) the nature of records or information about relationships that have been requested for examination;
- 2) the means by which the records or information shall be examined;
- 3) a copy of any questions to be asked of the student in obtaining the desired survey information to be made available to the school;
- 4) the means by which the information shall be obtained;
- 5) the identity of the person(s) or entity requesting release of the information;
- 6) the purposes for which the records are needed;
- 7) a method by which the parent or guardian of a student can grant permission to access or examine the personally identifiable information.

If express written consent from the parent or guardian has not been obtained authorizing the collection or release of information and documents defined above, such documents and information shall not be obtained or disclosed.

Utah Code Ann. § 53A-13-302(2) and (4) (2014)

Term of Consent

Unless specifically stated otherwise in the authorization, the authorization is valid only for the activity for which it was granted. However, the school district is authorized to request parental authorization that shall be valid until the commencement of the subsequent school year or until the student withdraws from the program in which such testing, evaluation or survey is conducted.

Utah Code Ann. § 53A-13-302(5) (c) (2014)

Permitted Crisis Intervention

Notwithstanding the prohibitions stated above, if a school employee, agent, or resource officer believes a student is at risk of (a) attempting suicide, (b) physical self-harm, or (c) harming others, then the employee, agent, or officer may question the student about the suicidal thoughts, self-harming behavior, or thoughts of harming others in order to refer the student to appropriate prevention services and to inform the student's parent or guardian. However, the questioning shall be limited to that which is necessary for referral to prevention services or to make the parent or guardian aware of the perceived risk.

Utah Code § 53A-13-302(7) (2014)

Limitation on Use of Information in Contact Verification

Regardless of notice and /or consent, information contained in the "Verification of Parent or Guardian re: Threat or Incident" may not be used:

- 1) for a report or study;
- 2) for a statistical analysis; or
- 3) to conduct research.

Utah Code Ann. § 53A-13-302(3) (2014)

Utah Code Ann. § 53A-11a-203(3) (2013)

Safe Schools

The following definitions shall apply under this policy

"Suspension" means removal of a student from the student's regular classroom assignment for a definite period of time.

"In-school suspension" means temporary reassignment, for a specific period of time, to a designated suspension classroom within the school.

"Short-term suspension" means exclusion of the student from the school, school grounds, and school activities and functions for a specific period of time that is equal to or less than 10 school days.

"Long-term suspension" means exclusion of the student from the school, school grounds, and school activities and functions for a specific period of time that is greater than 10 school days.

"Expulsion" means termination of the student's status as a student enrolled in the school. Expulsion may be for an indefinite or fixed period of time.

"Involuntary transfer" means reassignment of a student from one school, campus, or academic program, to a different school, campus, or academic program within the District. Involuntary transfer may be for an indefinite period of time or for a fixed period of time.

"School district location" means in any school building or on any school premises; on any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district.

"Disruptive behavior" means conduct which unreasonably interferes with the educational process or instruction of students in the classroom or elsewhere, including foul, profane, vulgar or abusive language.

Utah Code Ann. § 53A-11-904 (2010).

"Bullying" means intentionally or knowingly committing an act that:

- 1) endangers the physical health or safety of a school employee or student; or
- 2) involves any brutality of a physical nature such as whipping, beating, branding, calisthenics, bruising, electric shocking, placing of a harmful substance on the body, or exposure to the elements; or
- 3) involves forced or involuntary consumption of any food, liquor, drug, or other substance; or
- 4) involves forced or coerced actions or activities of a sexual nature or with sexual connotations; or
- 5) involves other physical activity that endangers the physical health and/or safety of a school employee or student; or
- 6) involves physically obstructing a school employee's or student's freedom to move; and
- 7) is done for the purpose of placing a school employee or student in fear of:
 - a) physical harm to the school employee or student; or
 - b) harm to property of the school employee or student.

The conduct described above constitutes bullying regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in, the conduct.

Utah Code Ann. §53A-11a-102 (2011)

"Communication" means the conveyance of a message, whether verbal, written, or electronic.

Utah Code Ann. §53A-11a-102 (2011)

"Cyber-Bullying" means:

- 1) Using the Internet, a cell phone, or another device to send or post text, video, or an image with the intent or knowledge, or with reckless disregard, that the text, video, or image will hurt, embarrass, or threaten an individual, regardless of whether the individual directed, consented to, or acquiesced in the conduct, or voluntarily accessed the electronic communication.
- 2) In addition, any communication of this form that is generated off-campus but causes or threatens to cause a material and substantial disruption at school or interference with the rights of students to be secure may also be considered cyber-bullying.

Utah Code Ann. §53A-11a-102 (2011)

"Harassment" means repeatedly communicating to another individual, in an objectively demeaning or disparaging manner, statements that contribute to a hostile learning or work environment for the individual.

Utah Code Ann. §53A-11a-102 (2011)

"Hazing" means intentionally or knowingly committing an act that:

- 1) endangers the physical health or safety of a school employee or student; and/or
- 2) involves any brutality of a physical nature such as whipping, beating, branding, calisthenics, bruising, electric shocking, placing of a harmful substance on the body, or exposure to the elements;
- 3) involves consumption of any food, liquor, drug, or other substance; or
- 4) involves forced or coerced actions or activities of a sexual nature or with sexual connotations;
- 5) involves other physical activity that endangers the physical health and safety of a school employee or student; or
- 6) involves physically obstructing a school employee's or student's freedom to move; and

- 7) is done for the purpose of initiation or admission into, affiliation with, holding office in, or as a condition for, membership or acceptance, or continued membership or acceptance, in any school or school sponsored team, organization, program, or event; or
- 8) if the person committing the act against a school employee or student knew that the employee or student is a member of, or candidate for, membership with a school, or school sponsored team, organization, program, or event to which the person committing the act belongs to or participates in.

The conduct described in above constitutes hazing, regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in, the conduct.

Utah Admin. Code R277-613-1 (2011)

Utah Code Ann. §76-5-107.5 (2011)

Utah Code Ann. §53A-11a-102 (2011)

"Retaliate" means an act or communication intended:

- 1) as retribution against a person for reporting bullying or hazing; or
- 2) to improperly influence the investigation of, or the response to, a report of bullying or hazing.

"Weapon" means "dangerous weapon," which includes any item that is used for, or is readily capable of, causing death or serious bodily injury. "Weapon" includes any firearm, which means a pistol, revolver, shotgun, sawed-off shotgun, rifle or sawed-off rifle, or any device that could be used as a dangerous weapon from which is expelled a projectile by action of an explosive. The following factors should be used in determining whether a knife, or any other item, object, or thing not commonly known as a dangerous weapon is a dangerous weapon:

- 1) the location and circumstances in which the object was used or possessed;
- 2) the primary purpose for which the object was made;
- 3) the character of the wound, if any, produced by the object's unlawful or improper use;
- 4) the manner in which the object was unlawfully or improperly used;
- 5) whether the manner in which the object is used or possessed constitutes a potential imminent threat to public safety; and
- 6) the lawful purposes for which the object may be used.

Possession of a weapon shall not violate this policy if possession is approved in writing by the responsible school administrator or if the item or material is present or to be used in connection with a lawful activity approved in writing by the responsible school administrator before the material in question is brought on school premises.

Utah Code Ann. § 76-10-501(2013)

Utah Code Ann. § 76-10-505.5 (2013)

"Unlawful conduct" means any conduct which violates any local, state, or federal law or regulation, or violates any District or school policy, or violates the legal rights of another person, and includes, but is not limited to, the following:

- 1) **Harassment:** harassment occurs when a person, with intent to frighten or harass another, communicates a threat to commit any violent felony.

Utah Code Ann. § 76-5-106 (1995)

- 2) **Burglary:** burglary means entering or remaining in a building or any portion of a building with the intent to commit an additional crime.

Utah Code Ann. § 76-6-202 (2012)

- 3) **Theft:** theft means obtaining or exercising unauthorized control over the property of another with the purpose to deprive him or her thereof.

Utah Code Ann. § 76-6-404 (1973)

- 4) **Criminal mischief:** criminal mischief means intentionally damaging, defacing, or destroying the property of another; or recklessly or willfully shooting or propelling a missile or other object at or against a motor vehicle, bus, airplane, locomotive, train, railway car, or caboose, whether moving or standing, or intentionally and unlawfully tampering with the property of another so as to recklessly endanger human life, health, or safety or recklessly causes or threatens a substantial interruption or impairment of critical infrastructure.

Utah Code Ann. § 76-6-106 (2012)

- 5) **Assault:** assault means an attempt, with unlawful force or violence, to do bodily injury to another; a threat, accompanied by a show of immediate force or violence, to do bodily injury to another; or an act, committed with unlawful force or violence, that causes bodily injury to another or creates a substantial risk of bodily injury to another.

Utah Code Ann. § 76-5-102 (2003)

- 6) **Gang activity:**

Utah Code Ann. § 76-9-801 -- 804

Utah Code Ann. § 76-9-901 -- 907

Making a false alarm: a student makes a false alarm if he or she initiates or circulates a report or warning of any fire, impending bombing, or other crime or catastrophe, knowing that the report or warning is false or baseless and is likely to cause the evacuation of any building or public transport; improper activation of school alarms or safety systems.

Utah Code Ann. § 76-9-105 (2002)

Willfully defaces or otherwise injures school property.

Utah Code Ann. § 53A-11-806 (2008)

Disrupting the operation of a school: Disrupting the operation of a school occurs when a person, after being asked to leave by a school official, remains on school property for the purpose of encouraging or creating an unreasonable and substantial disruption or risk of disruption of a class, activity, program, or other function of the school.

Utah Code Ann. § 76-9-106 (1992)

Terroristic Threats: A person commits a terroristic threat if he/she threatens to commit any offense involving bodily injury, death, or substantial property damage; and

- 1) Threatens to use a weapon of mass destruction or hoax weapon of mass destruction; or
- 2) The person acts with intent to:
 - a) Influence or effect a government or unit of government or intimidate or coerce a civilian population; or
 - b) Cause action of any nature by an official or volunteer agency organized to deal with emergencies.
 - c) Prevent or interrupt the occupation of a building or a portion of a building, a place to which the public has access, or a facility or vehicle of public transportation operated by a common carrier.

Utah Code Ann. § 76-5-107 (2010)

"Sexual Harassment" means unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct or communications of a sexual nature, and any other gender-based harassment, when:

- 1) Submission to or rejection of the conduct affects the student's academic performance, participation in school-sponsored activities, or any other aspect of the student's education; or
- 2) The conduct has the purpose or effect of unreasonably interfering with a student's academic performance or participation in school-sponsored activities, or creating an intimidating, hostile or offensive education environment. See policy FHAB 5714.

Publication of Safe Schools Policy

A copy of this policy shall be given to each student in school upon enrollment in the school. Each student transferring to a school in the district who was not attending a school in the district just prior to the transfer shall receive a copy of this policy. When a copy of this policy is provided to a student, a copy shall also be provided to the student's parent or guardian.

Utah Code Ann. § 53A-11-903(2)(a) (2007)

A copy of this policy shall be posted in a prominent place in each school in the district. Any significant change in this policy shall be posted in each school in the district, and a copy of the revised policy shall be distributed to the students in each school.

Utah Code Ann. § 53A-11-903(2)(b) and (c) (2007)

Conduct Warranting Discipline

A student may be disciplined for the conduct described below. The type of the discipline imposed will depend on the nature of the particular conduct.

Conduct Which May Warrant, But Does Not Require, Suspension or Expulsion:

- 1) A student may be disciplined for any of the following prohibited conduct when it occurs in a school building, or on or in proximity to school property; in conjunction with any school sponsored activity; in or on a school vehicle; is directed at or against another student or a district employee; or when it threatens harm or does harm to the school, school property, a person associated with the school, or property of a person associated with the school.
 - a) Any unlawful conduct, as that is defined above.
 - b) Frequent or flagrant willful disobedience, defiance of proper authority, or disruptive behavior, including the use of foul, profane, vulgar, or abusive language.
 - c) Willful destruction, defacing, or damaging of school property.
 - d) Behavior, or threatened behavior, which poses an immediate and significant threat to the welfare, safety or morals of other students or school personnel or to the operation of the school.
 - e) Disruptive behavior, as that is defined above.
 - f) Possession or use of pornographic material on school property that would constitute a misdemeanor offense under Utah Code Ann. § 76-10-1234.
 - g) Bullying, harassment, cyber-bullying, retaliation, and making false allegations of bullying, bullying or retaliation. See Policy FGAD 5717
 - h) Any use of an electronic communication device or camera to record sounds or images or otherwise capture material in an unauthorized setting or at an unauthorized time shall subject the user of the device to increased discipline based on the circumstances and whether the student has been involved in prior violations of this policy.
 - i. The use of any interfering device or any electronic communication device or camera to threaten, intimidate or embarrass another or to capture and transmit test information or any other information in a manner constituting fraud, theft or academic dishonesty will result in an immediate suspension of not less than three (3) days nor more than ten (10) days.

- j) The use of any interfering device in a manner which may be physically harmful to another person, such as shining a laser in the eyes of another student, will result in an immediate suspension of not less than three (3) days nor more than ten (10) days. When a student repeatedly engages in such behavior, the punishment may be increased as is appropriate. See Policy FGAD 5717
- 2) Selling, giving, delivering, transferring, possessing, controlling, or distributing an alcoholic beverage on or in proximity to school property or at or in proximity to any school sponsored event. See FHAA 5712.
- 3) Selling, giving, delivering, transferring, possessing, controlling, or distributing tobacco products on or in proximity to school property or at or in proximity to any school sponsored event. Students shall not smoke or use tobacco products on school property or at any school-related or school-sanctioned activity on or off school property. "Tobacco products" includes an electronic cigarette as that has been defined by state law (Utah Code § 76-10-101).
- 4) Being under the influence of an alcoholic beverage or controlled substance on or in proximity to school property or at or in proximity to any school sponsored event. See FHAA 5712
- 5) Engaging in, assisting, permitting, or otherwise being involved in hazing, as provided by the District's policy prohibiting hazing, Policy 5716.
 - Utah Code Ann. § 53a-11-902(5) (2010)*
 - Utah Code Ann. § 53a-11-904(1) (2010)*
 - Utah Code Ann. § 53A-3-501 (1998)*
 - Utah Code Ann. § 53A-11-908 (2010)*
- 6) Engaging in conduct that contains the elements of the offense of arson or aggravated arson under the Utah Criminal Code.
 - Utah Code Ann. § 76-6-102 (2004)*
 - Utah Code Ann. § 76-6-103 (1986)*
- 7) Engaging in conduct that contains the elements of any felony.
- 8) Sexual Harassment.
- 9) Gang-related activity: A "gang" as defined in this policy means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or have engaged in a pattern of criminal gang activity. Gang-related activity includes but is not limited to:
 - a) Wearing, possessing, using or distributing, displaying or selling any clothing, jewelry, emblem, badge, symbol, sign or other things which evidence membership in a gang.
 - b) Use of a name associated with or attributable to a gang;
 - c) Designating "turf" or an area for gang activity or occupation.

Conduct Which Requires Suspension or Expulsion

- 1) A student shall be suspended or expelled from school for participation in any serious violation affecting another student or a staff member, or any serious violation when it occurs in a school building, in or on school property; or in conjunction with any school sponsored activity including:
 - a) The sale, control, delivery, transfer or distribution of a drug or controlled substance, as defined in Utah Code § 58-37-2, an imitation controlled substance, as defined in Utah Code § 58-37b-2, or drug paraphernalia as defined in Utah Code § 58-37a-3; See 5712
 - b) Commission of an act involving the use of force or the threatened use of force which if committed by an adult would be a felony or class A misdemeanor.
 - Utah Code Ann. § 53a-11-904(2) (2010)*
 - Utah Code Ann. § 76-5-102 (2003)*
 - Utah Code Ann. § 76-5-102.3 (1992)*

Conduct Which Requires 1-year Expulsion

- 1) A student shall be expelled from school for not less than one year, subject to the 45-day review process for mandatory year expulsions set forth below, if the student participates in any serious violation affecting another student or a staff member, or any serious violation when it occurs in a school building, in or on school property; or in conjunction with any school sponsored activity including one of the following violations:
 - a) possession, control or actual or threatened use of a real weapon, explosive, or flammable device or material;
 - b) the actual or threatened use of a look-alike or pretend weapon with intent to intimidate another person or to disrupt normal school activities.
 - Utah Code Ann. § 53A-11-904(2)(b) (2010)*

Discipline Rules for Students With Disabilities

- 1) Federal and state laws impose particular requirements regarding discipline of students identified as having a disability. Discipline of such students must comport with the requirements set forth below for students with disabilities.

Remedial Measures and Disciplinary Sanctions

Following a determination that a student has committed a violation, the student may be subject to one of the following remedial measures or disciplinary sanctions, as is determined to be appropriate for the violation or as is required by the terms of this policy or other District policies.

1) Remedial Measures

- a) Continued school attendance subject to the terms of a remedial discipline plan prepared to correct the violation. This remedial measure is available only where the violation is for willful disobedience, defiance of authority, or disruptive behavior when such conduct is not of such a violent or extreme nature that immediate removal from school is required.
- b) Continued school and class attendance accompanied by the student's parent or guardian for a designated period of time. This remedial measure is available only with the consent of the student's teacher or teachers and the agreement of the student's parent or guardian. The parent or guardian must agree to attend all of the student's classes for each day of the suspension. If the parent or guardian fails to attend class with the student, the student shall then be subject to suspension or other discipline in accordance with this policy.
- c) In-school suspension. Attendance in a designated in-school suspension program. Students shall be instructed in the essential elements of the courses in which they are enrolled at the time of removal.
- d) Home-based instruction. Instruction at home, provided that combined days of suspension and assignment to home-based instruction shall not exceed ten (10) school days in a semester.
- e) Voluntary transfer. Voluntary transfer to another school, campus, community-based alternative school or other special program within the district, subject to the admission criteria of such alternative programs.
- f) Withholding grade reports, diplomas and transcripts. If the district determines that school or district property has been lost or willfully cut, defaced or otherwise injured by a student, the district may withhold the issuance of official written grade reports, diplomas and transcripts of the student responsible for the damage or loss until the student or student's parent or guardian has paid for the damages.
 - (i) If the student and the student's parent or guardian are unable to pay for the damages or if it is determined by the school in consultation with the student's parents or guardian that the student's interests would not be served if the parents or guardian were to pay for the damages, then the district shall provide a program of voluntary work for the student in lieu of the payment. In that case, the district shall release the official grades, diploma and transcripts of the student upon completion of the voluntary work.
 - (ii) If the Department of Human Services or a licensed child-placing agency has been granted custody of the student, that student's records, if requested by the Department or agency, may not be withheld from the Department or agency for non-payment of damages under this section.
 - (iii) No penalty may be assessed for damages which may be reasonably attributed to normal wear and tear.

Utah Code Ann. § 53A-11-806 (2008)

2) Disciplinary Sanctions

Detention. Students in grades K through six may be detained in school after regular school hours in the event the responsible school administrator determines that such action is justified in disciplining the student. No student may be detained after regular school hours until his or her parent or guardian has received prior notice of the detention to take place on a particular school day. (The notice provided for under this policy need not be completed prior to detention of the student if detention is necessary for the student's health or safety).

Utah Code Ann. § 53A-3-415 (1991)

Suspension.

Involuntary transfer. Involuntary transfer to another school, campus, community-based alternative school or other special program within the District.

Expulsion.

Authority to Impose Discipline

The Board of Education hereby delegates to each school principal within the District the authority to suspend a student in the principal's school for up to ten (10) school days, in accordance with this policy.

The Board of Education hereby delegates to the superintendent the authority to suspend a student for up to one (1) school year.

The Board of Education has the authority to expel a student for a fixed or indefinite period.

Utah Code Ann. § 53A-11-905 (2007)

Procedure for Imposing Discipline

Remedial measures or disciplinary sanctions may be imposed on a student only after it has been determined, following appropriate due process, that the student has committed a violation. The nature of the due process required depends in part on the magnitude of the penalty to be imposed.

Short-term Suspension

- 1) **Informal due process hearing.** A school principal may suspend a student for up to ten (10) school days for a violation. Prior to imposing such a suspension, the school principal shall meet with the student, if possible, to discuss the incident(s) and to provide the student an opportunity to respond. The principal shall then determine whether a violation has occurred and whether suspension or other discipline is appropriate. In appropriate cases, the principal shall consider and offer the student alternatives to suspension, including in-school suspension and parental attendance with the student (where appropriate consent from teachers is obtained).
- 2) **Short-term suspension pending due process hearing.** If the school principal makes an initial determination that the violation warrants long-term suspension or expulsion, the school principal may recommend those sanctions and may impose a short-term suspension pending a hearing on whether those sanctions should be imposed.
- 3) **Departure from school grounds.** A suspended student shall immediately leave the school building and grounds following a determination by the school of the best way to transfer custody of the student to the parent or guardian or other person authorized by the parent or applicable law to accept custody of the student.

Utah Code § 53A-11-905(5)(a) (2007)

- 4) **Notice of short-term suspension.** If a short-term suspension is imposed, the principal or designee shall immediately provide notice to the student's parent or guardian. Notice shall, if possible, be given by telephone. If reasonable efforts to contact the parent or guardian by telephone are unsuccessful, then written notice shall be sent to the parent or guardian. The notice, whether verbal or written, shall include the following:
 - a) That the student has been suspended.
 - b) The grounds for the suspension.
 - c) The period of time for which the student is suspended.
 - d) The date, time and place for the parent or guardian and student to meet with the principal or designee to review the suspension. This meeting shall be scheduled to occur as soon as is practicable, but in all cases prior to the end of the tenth day of the suspension.

Goss v. Lopez, 410 U.S. 565 (1975)

Utah Code Ann. § 53A-11-905(4) (2007)

Utah Code Ann. § 53A-15-1503 (10)(b) (2014)

- 5) **Notice of recommended expulsion or long-term suspension.** If the principal or designee has recommended that the superintendent expel the student or suspend the student for a period longer than ten days, that fact shall be included in the notice to the parent or guardian.
- 6) **Meeting to review suspension.** At this meeting, the principal or assistant principal shall review with the parent or guardian and student the charges and evidence against the student, and shall provide the student with an opportunity to respond. During this meeting, the principal or assistant principal may determine whether the suspension previously imposed should be maintained, whether to adopt an alternative remedial measure, or whether the suspension should be terminated. The principal or assistant principal should also discuss with the parent or guardian a plan to avoid recurrence of the problem.

Utah Code Ann. § 53A-11-905(5)(b), (c) (2007)

Utah Code Ann. § 53A-15-1503 (10)(b) (2014)

Long-term Suspension or Expulsion

- 1) **Due process hearing.** If the principal or assistant principal recommends long-term suspension or expulsion, he or she shall notify the superintendent of that recommendation. The superintendent shall then schedule a hearing to be held with the student's parent or guardian, the student, and the superintendent or the superintendent's designee. The hearing shall be scheduled to take place prior to the tenth day of the student's suspension where possible.
- 2) **Notice of hearing.** The superintendent shall provide written notice of the date, time and place of the hearing to the student and his or her parent or guardian so as to afford a reasonable opportunity for preparation. The notice shall include a statement of the charges against the student, that a recommendation has been made for suspension for more than 10 days or for expulsion and the period of time for which suspension or expulsion has been recommended. The statement of the charges against the student shall include the nature of the evidence and the names of any witnesses whose testimony may be used against the student unless confidentiality is required due to the necessity to protect student witnesses.

Utah Code Ann. § 53A-15-1503 (10)(b) (2014)

Wagner v. Ft. Wayne Community Schools, 255 F. Supp. 2d 915 (N.D. Ind. 2003)

- 3) **Conduct of hearing.** The superintendent or the superintendent's designee shall preside at and conduct the hearing at the appointed time and place. The district and the student may each be represented by a person of their choice. Each side may present testimony of witnesses or other evidence, may cross-examine witnesses and may make legal arguments relevant to the issues. However, the district may present hearsay evidence if confidentiality is required due to the necessity to protect witnesses.

Wagner v. Ft. Wayne Community Schools, 255 F. Supp. 2d 915 (N.D. Ind. 2003)

- 4) **Decision.** At the conclusion of the hearing, the superintendent or designee shall make a final determination of the matter, and shall state his or her determination to those attending the hearing. The determination shall then be placed in writing and mailed to the student and his or her parent or guardian. Upon a finding that the student has engaged in conduct warranting discipline, the superintendent may determine what discipline or remedial measures are appropriate for the conduct. If the superintendent determines that the appropriate sanction is expulsion, then that sanction must be authorized by the Board of Education as set out below. Apart from expulsion, the superintendent may impose any of the available remedial measures or sanctions as are found to be appropriate. In determining the appropriate sanction, the superintendent shall consider whether alternatives to suspension are appropriate or available.

Utah Code Ann. § 53A-11-905 (2007)

Utah Code Ann. § 53A-11-906 (2007)

- 5) **Appeal.** A student may appeal the determination of the superintendent to the Board of Education by filing a written notice of appeal with the superintendent within ten (10) days of the date the decision of the superintendent is mailed to the student. No further hearing will be held. The Board will review the evidence submitted to the superintendent and the written determination of the superintendent. The Board may affirm the superintendent's decision or modify the Superintendent's decision. The Board's written decision will be issued within thirty (30) days of receipt of the student's written notice of appeal.
- 6) **Board evaluation of expulsion recommendation.** If the superintendent recommends expulsion for an indefinite or definite period of time, then the superintendent will transmit that recommendation to the Board of Education along with the record of evidence submitted to the superintendent. The Board may review the recommendation based on this record or may at its sole discretion accept further evidence. Following its review, the Board may accept, modify, or reject the recommendation, or impose other disciplinary sanctions. This decision is final.

Utah Code Ann. § 53A-11-905(3) (2007)

- 7) **45-day review of mandatory one-year expulsions.** Where a student has been expelled for one year because of a violation involving a weapon, explosive, or flammable material, a hearing shall be held within 45 days of the imposition of the expulsion. This hearing shall be held before the superintendent or the superintendent's designee, and shall be attended by the student and a parent or guardian of the student. At this hearing, the superintendent shall determine
- a) what conditions must be met by the student and the student's parent or guardian for the student to return to school;
 - b) whether the student should be placed on probation in a regular or alternative school setting, and if so what conditions must be met by the student to assure the safety of students and staff at the school the student is placed in; and
 - c) if it would be in the best interest of both the school district and the student to modify the expulsion term to less than a year, giving highest priority to providing a safe school environment for all students.
 - d) If the superintendent or his or her designee determines that the student should return to school prior to the expiration of the one-year expulsion term conditioned on compliance with the conditions established by the superintendent, then the superintendent shall submit that recommendation to the Board of Education. If the Board of Education approves the return, the student may return to school pursuant to the conditions established.

Utah Code Ann. § 53A-11-904(2)(b) (2010)

- 8) A student may be denied admission to a public school on the basis of having been expelled from that or any other school during the preceding 12 months.

Utah Code Ann. § 53A-11-904(3) (2010)

Evidence in Student Hearings

All student disciplinary hearings shall be conducted by the Board or its designee in an executive session. All evidence presented in such hearings shall constitute student educational records and shall be treated as "confidential". The District hereby designates all student records as "protected" under the Government Records Access Management Act. The names of students giving statements used in a student hearing involving other students may be protected and redacted where necessary to protect the students from threats of harm or interference with the educational process.

Notification of Weapons on School Property

Whenever a student is found on school property during school hours or a school sponsored activity in possession of a dangerous weapon and that information is reported to or known by the principal, the principal shall notify appropriate

law enforcement personnel as well as school and district personnel who, in the good faith opinion of the principal should be informed.

Utah Code Ann. § 53A-11-1101 (1994)

Education of Students Subject to Discipline

The educational services that will be provided to students subject to discipline will depend upon the nature of the discipline.

- 1) **Students subject to remedial measures.** Students subject to remedial measures such as a remedial discipline plan, class attendance with a parent, or in-school suspension will continue to receive educational services from the district according to the remedial measure. A student transferred to another school or program within the district will receive educational services through that school or program.
- 2) **Parental responsibility for education.** When a student is expelled or is suspended for more than 10 days, it is the responsibility of the parent's student or guardian to undertake an alternative education plan which will ensure that the student's education continues during the period of the suspension or expulsion. The parent or guardian shall work with designated school officials to determine how that responsibility might best be met through private education, alternative programs offered by the district, or other alternatives which will reasonably meet the student's educational needs. Costs for educational services not provided by the district are the responsibility of the student's parent or guardian.

Utah Code Ann. § 53A-11-907 (2007)

- 3) **Review of student progress.** The district shall contact the parent or guardian of each suspended or expelled student under the age of 16 at least once per month to determine the student's progress.

Utah Code Ann. § 53A-11-907(4) (b) (2007)

- 4) **Record of disciplined students.** The district shall maintain a record of all suspended or expelled students and a notation of the recorded suspension or expulsion shall be attached to the student's transcript.

Utah Code Ann. § 53A-11-907(4) (a) (2007)

Readmission of Suspended or Expelled Students

- 1) **Suspended students.** A suspended student may not be readmitted to a public school until the student and the student's parent or guardian have met with a designated school official to review the suspension and have agreed with the school official upon a plan to avoid recurrence of the violation resulting in suspension. At the discretion of the principal, the student may be readmitted if the student and the student's parent or guardian have agreed to participate in such a meeting. However, a suspension may not extend beyond ten (10) days unless the student and the student's parent or guardian have been given a reasonable opportunity to meet with a designated school official to respond to the allegations and proposed disciplinary action.
- 2) **Expelled students.** The superintendent or his or her designee shall review the expulsion sanction of each expelled student at least once per year and shall report the conclusions of such review to the Board of Education. The superintendent or his or her designee may make recommendations regarding whether such sanction should be modified or removed, and what conditions, if any, should be imposed on the student's readmission. If the Board has expelled a student for a set period of time and has not otherwise specified, at the expiration of that expulsion term a student may enroll at his or her area school on the same terms as a new student.

FGAD 5717

Bullying, Cyber-bullying, Harassment and Hazing

Definitions

- 1) **"Bullying"** means intentionally or knowingly committing an act that:
 - a) endangers the physical health or safety of a school employee or student; or
 - b) involves any brutality of a physical nature such as whipping, beating, branding, calisthenics, bruising, electric shocking, placing of a harmful substance on the body, or exposure to the elements involves forced or involuntary consumption of any food, liquor, drug, or other substance; or
 - c) involves forced or coerced actions or activities of a sexual nature or with sexual connotations; or
 - d) involves other physical activity that endangers the physical health and safety of a school employee or student; or
 - e) involves physically obstructing a school employee's or student's freedom to move; and
 - f) is done for the purpose of placing a school employee or student in fear of:
 - i) physical harm to the school employee or student; or
 - ii) harm to property of the school employee or student.

The conduct described above constitutes bullying regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in, the conduct.

- 2) **"Communication"** means the conveyance of a message, whether verbal, written, or electronic.

- 3) **"Cyber-Bullying"** means:

- a) Using the Internet, a cell phone, or another device to send or post text, video, or an image with the intent or knowledge, or with reckless disregard, that the text, video, or image will hurt, embarrass, or threaten an

individual, regardless of whether the individual directed, consented to, or acquiesced in the conduct, or voluntarily accessed the electronic communication.

- b) In addition, any communication of this form that is generated off-campus but causes or threatens to cause a material and substantial disruption at school or interference with the rights of students to be secure may also be considered cyber-bullying.
- 4) **"Harassment"** means repeatedly communicating to another individual, in an objectively demeaning or disparaging manner, statements that contribute to a hostile learning or work environment for the individual.
- 5) **"Hazing"** means intentionally or knowingly committing an act that:
 - a) endangers the physical health or safety of a school employee or student; and
 - i. involves any brutality of a physical nature such as whipping, beating, branding, calisthenics, bruising, electric shocking, placing of a harmful substance on the body, or exposure to the elements;
 - ii. involves consumption of any food, liquor, drug, or other substance; c. involves forced or coerced actions or activities of a sexual nature or with sexual connotations;
 - iii. involves other physical activity that endangers the physical health and safety of a school employee or student; or
 - iv. involves physically obstructing a school employee's or student's freedom to move; and
 - b) is done for the purpose of initiation or admission into, affiliation with, holding office in, or as a condition for, membership or acceptance, or continued membership or acceptance, in any school or school sponsored team, organization, program, or event; or
 - c) if the person committing the act against a school employee or student knew that the school employee or student is a member of, or candidate for, membership with a school, or school sponsored team, organization, program, or event to which the person committing the act belongs to or participates in.

The conduct described in above constitutes hazing, regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in, the conduct.

Utah Admin. Code R277-613-1 (2011)

Utah Code Ann. §76-5-107.5 (2011)

Utah Code Ann. §53A-11a-102 (2011)

"Retaliate" means an act or communication intended:

- 1) as retribution against a person for reporting bullying or hazing; or
- 2) to improperly influence the investigation of, or the response to, a report of bullying or hazing.

Utah Code Ann. §53A-11a-102 (2011)

"School employee" means:

- 1) school administrators, teachers, and staff, as well as others employed or authorized as volunteers, directly or indirectly, by the school, school board, or school district.

Bullying and Harassment Prohibited

No school employee or student may engage in bullying and/or harassment of a student or school employee on school property, at a school related or sponsored event, on a school bus, at a school bus stop, or while the student is traveling to or from a school location or school related or sponsored event.

Students who engage in bullying and/or harassment are in violation of this policy and verified violations shall result in disciplinary action up to and including expulsion, consistent with the school district's Safe Schools policy FHA (5710). School employees who engage in bullying and/or harassment are in violation of this policy and verified violations shall result in disciplinary action up to and including termination, consistent with the school district's Orderly Termination policy DHA (3530).

Anonymous reports of bullying and/or harassment alone cannot constitute the basis for formal disciplinary action.

The school or District may also report individuals to law enforcement.

Utah Code Ann. §53A-11a-301 (2013)

Utah Admin. Code R277-613-1 (2011)

Hazing and Cyber-bullying Prohibited

No school employee or student may engage in hazing or cyber-bullying of a student at any time or at any location.

Students who engage in hazing or cyber-bullying are in violation of this policy and verified violations shall result in disciplinary action up to and including expulsion, as well as suspension or removal from a school-sponsored team or activity, including school sponsored transportation, consistent with the school district's Safe Schools policy FHA (5710).

School employees who engage in hazing or cyber-bullying are in violation of this policy and verified violations shall result in disciplinary action up to and including termination, consistent with the school district's Orderly Termination policy DHA (3530).

The school may also determine to break up or dissolve a team, organization, or other school-sponsored group for hazing violations by its members.

Anonymous reports of hazing or cyber-bullying alone cannot constitute the basis for formal disciplinary action.

The school or District may also report individuals to law enforcement.

Utah Code Ann. §53A-11a-301 (2013)

Retaliation Prohibited

No school employee or student may engage in retaliation against a school employee, a student, or an investigator for, or witness of, an alleged incident of bullying, harassment, cyber-bullying, hazing, or retaliation against a school employee or student.

Students who engage in such retaliation are in violation of this policy and are subject to disciplinary action up to and including expulsion, consistent with the school district's Safe Schools policy FHA (5710). Anonymous reports of bullying, harassment, cyber-bullying, or retaliation alone cannot constitute the basis for formal disciplinary action. School employees who engage in retaliation are in violation of this policy and verified violations shall result in disciplinary action up to and including termination, consistent with the school district's Orderly Termination policy DHA (3530).

Anonymous reports of retaliation alone cannot constitute the basis for formal disciplinary action.

Utah Code Ann. §53A-11a-301 (2013)

Utah Admin. Code R277-613-1 (2009)

Making a False Report Prohibited

No school employee or student may make a false allegation of bullying, harassment, cyber-bullying, hazing, or retaliation against a school employee or student.

Students who engage in making such false allegations are in violation of this policy and are subject to disciplinary action up to and including expulsion, consistent with the school district's Safe Schools policy FHA (5710).

School employees who engage in making such false allegations are in violation of this policy and verified violations shall result in disciplinary action up to and including termination, consistent with the school district's Orderly Termination policy DHA (3530).

Utah Admin. Code R277-613-1 (2009)

Training and Education

Each school shall establish procedures for training school employees, volunteers and students to recognize and prevent bullying, harassment, cyber-bullying, hazing, or retaliation.

Training of students, staff, and volunteers shall include:

- 1) Training specific to overt aggression that may include physical fighting such as punching, shoving, kicking, and verbally threatening behavior, such as name calling, or both physical and verbal aggression or threatening behavior;
- 2) Training specific to relational aggression or indirect, covert, or social aggression, including rumor spreading, intimidation, enlisting a friend to assault a child, and social isolation;
- 3) Training specific to prohibitions against bullying or hazing of a sexual nature or with sexual overtones;
- 4) Training specific to cyber bullying, including use of email, web pages, text messaging, instant messaging, three-way calling or messaging or any other electronic means for aggression inside or outside of school;

In addition to training school employees and educating students mentioned above, all volunteer coaches, employees, and students involved in any extra-curricular activity shall:

- 1) Complete bullying and hazing prevention training prior to participation;
- 2) Repeat bullying and hazing prevention training at least every three years;
- 3) Be informed annually of the prohibited activities list provided previously in this Policy and the potential consequences for violation of this Policy.

Teachers should discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of bullying, hazing, or cyber-bullying.

Utah Code Ann. §53A-11a-301 (2013)

Publication

A copy of this policy shall be included in student conduct handbooks, employee handbooks, and shall be available on the Daggett School District website.

Parental Notification

The school shall notify the parent or guardian of a student who is involved in an incident of bullying, hazing, cyber-bullying, harassment or retaliation (whether as a perpetrator or victim).

The school is also required to notify the parent or guardian of a student who threatens to commit suicide. (See Policy FDACD.) In addition, the school shall produce and maintain a record that verifies that the parent or guardian was notified of the threats or incidents listed above. The record is a private record for purposes of the Government Records Access and Management Act. The record may not be used by the school for the school's own purposes.

The processes for notifying a parent or guardian shall consist of:

- 1) The school principal or designee shall attempt to make personal contact with a parent or guardian when the school has notice of a threat or incident listed above. It is recommended that the parent be informed of the threat or incident with two school people present. If the personal contact is not possible, the parent or guardian may be contacted by phone. A second school person should witness the phone call.

- 2) Contact with the parent or guardian must be documented in a “Verification of Parent or Guardian Contact Regarding Threat or Incident”.

At the request of a parent or guardian, a school may provide information and make recommendations related to an incident or threat.

Utah Code Ann. § 53A-11a-203 (2013)

VERIFICATION OF PARENT OR GUARDIAN CONTACT REGARDING THREAT OR INCIDENT

I, [Name] _____, principal or principal’s designee, contacted [Name of parent or guardian] on [Date] _____ and notified him or her that [Name of student] _____ has made suicidal threats or was involved in an incident of bullying, hazing, cyber-bullying, harassment or retaliation. Contact was made:
[☐] in person; or
[☐] by telephone.
[Name of school staff member] _____, witnessed the contact.

Principal or Principal’s Designee Title Date

School Staff Member Title Date

GC 6200

Community Use of School Facilities

Civic Center

Public school buildings and grounds are civic centers and shall be used by District residents for supervised recreational activities and meetings, subject to the requirements and restrictions set forth below. Use of school property for civic center purposes may not interfere with a school function or purpose and is considered a “permit” for governmental immunity purposes.

Utah Code Ann. § 53A-3-413 (2008)

Fees for Use of School Property for Civic Center Purposes

The Board may set and charge a reasonable fee for the use of school property for civic center purposes to fully compensate the District for any and all expenses incurred in that use. The fee charged may take into account increased overhead expense, including utilities, personnel, and other areas affected by use of the facilities.

Utah Code Ann. § 53A-3-414(2)(c) (2008)

Special Functions Officer

The Superintendent shall appoint a District special functions officer. The special functions officer shall have charge of the grounds and shall take reasonable measures to protect school property when used for civic center purposes.

Utah Code Ann. § 53A-3-413(4) (2008)

Utah Code Ann. § 53-13-105(1)(b)(v) (2002 (5th Special Session))

Duties of School Principal

The Principal, subject to approval of the Superintendent, shall allow the use of school facilities and shall also be responsible for collection of monies, notification of personnel involved (custodian, lunch manager, or technician), and the determination of free use of the building according to policy.

Rental of School Facilities

The rental of school facilities for other than school use shall be according to the following guidelines:

- 1) Application for rental will be made with the principal of the school. Application requires the signatures of the applicant, principal and Superintendent.
- 2) Rental rates will be determined according to the rental rate as approved by the Board of Education.
- 3) Payments will be collected by the Principal, recorded, and sent to the District Office with a copy of the original application.
- 4) Cancellations will be reported to the District Office.
- 5) Personnel charges will be added according to the rates listed on the rental schedule.
- 6) The Principal shall submit to the District a report of the use of building or grounds.
- 7) The Principal shall report questionable use or activity connected with rental of facilities.

- 8) A certificate of liability insurance is required with limits of not less than \$500,000. The District shall be named as an additional insured. (This provision (8) can only be waived in writing by the Board of Education.) A Hold Harmless Agreement shall also be entered into.

Supervision

The principal shall be responsible for adequate supervision of the school during rental hours. Any non-school group occupying school property shall provide adult supervision adequate to maintain order and prevent the destruction of school property. Facilities shall not be available at the time of use unless the supervisor or supervisors are present as agreed. At the time of rental, arrangements shall be made for adequate supervision. School supervision shall consist of a minimum of one custodian to care for the interest of the District and its property. In the absence of the principal, the custodian shall be in complete charge of the building and grounds.

Supervision and Use of Equipment, Building and Grounds

Arrangements for adequate supervision shall be made in keeping with the use for which the rental is made to ensure proper conduct in and around the building and the proper care of the school and its equipment.

Inadvisable Uses

The Board may refuse to permit the use of school property as a civic center if it determines the use interferes with a school function or purpose.

Utah Code Ann. § 53A-3-414(5) (2008)

Standards of Behavior

The principal of the school shall accept application from only those groups who can assure adherence to the standards of behavior of the school. Tobacco, intoxicating substances, and boisterous conduct are expressly prohibited. The following will not be tolerated and are expressly prohibited by the Board:

- 1) vandalism;
- 2) use without consent, or abuse of school furniture or other school property; and,
- 3) appropriation or abuse of books, supplies, or athletic equipment belonging to the school or to its students. School athletic equipment may only be used with prior approval of the principal.

Use of Practice Fields and Other School Ground Facilities

The use of school ground facilities will be allowed at no cost provided fields are not abused or used during extremely wet conditions or other times when the field would be damaged.

Community groups such as Little League Football will be allowed to use specified areas of the school grounds as approved by the Principal.

Due to excessive use of the regular playing fields within the regular school program, the necessity of keeping certain playing fields in top condition for school league play, makes the regular use of these fields by non-school groups impractical.

High school facilities are available to community organizations; however, the facilities shall not be used at any time that would interfere with a school function or purpose.

Any other equipment rental requests shall be made to the Principal; such requests shall be granted upon the approval of the Principal.

GE 6400

School Community Councils

Formation of Community Councils

Each school within the District shall, in consultation with the Board of Education, establish a school community council at the school building level.

A school or District administrator may not prohibit or discourage a community council from discussing issues, or offering advice or recommendations, regarding the school and its programs, school district programs, the curriculum, or the community environment for students.

The Board shall report approval dates of required plans (listed below) to the Utah State Office of Education.

Utah Code Ann. §53A-1a-108 (2014)

Utah Admin. Code R277-491-4 (July 8, 2014)

Purposes of Community Councils

The purposes of school community councils are to involve parents or guardians of students in decision making at the school level, improve the quality of education of students, prudently expend School LAND Trust Program money, and increase public awareness of school trust lands and related land policies, management of the State School Fund, and educational excellence.

Utah Code Ann. § 53A-1a-108(2) (2014)

Composition of Councils

Each school community council shall consist of school employees (including the school's principal) and parents or guardians of students who are attending the school.

The recommended composition of school community councils for high schools is six (6) parent or guardian members and four (4) school employee members (including the principal). The recommended composition of school community councils for other schools is four (4) parent or guardian members and two (2) employee members (including the principal). The school community council is not required to have the recommended composition and can by majority vote of a quorum of the council determine how many members the council will have, provided that there are at least two (2) school employee members and there are at least two (2) more parent or guardian members than school employee members.

The number of parent or guardian members of a school community council who are not educators employed by the school district shall exceed the number of parent or guardian members who are educators employed by the school district. If, after an election, the number of parent or guardian members who are not educators employed by the school district does not exceed the number of parent or guardian members who are educators employed by the school district, the parent or guardian members of the school community council shall appoint one or more parent or guardian members to the school community council so that the number of parent or guardian members who are not educators employed by the school district exceeds the number of parent or guardian members who are educators employed by the school district.

Each community council shall elect a chair from its parent or guardian members and a vice chair from its parent or guardian members or school employee members other than the principal.

Utah Code Ann. §53A-1a-108 (2014)

Notice of Available Community Council Positions

The principal of the school, or the principal's designee, shall provide notice of the available community council positions to school employees, parents, and guardians at least ten (10) days before the date of the election. The notice shall include:

- 1) the dates and times of the election;
- 2) a list of council positions that are up for election; and
- 3) instructions for becoming a candidate for a community council position;

The principal shall also ensure that the school website fully communicates the opportunities provided to parents to serve on the school community council.

Utah Code Ann. §53A-1a-108 (2014)

Utah Admin. Rule R277-491-3.G (July 8, 2014)

Utah Admin. Rule R277-491-5.D (July 8, 2014)

Selection of School Employee Members

The principal shall serve as an ex officio member with full voting privileges. A school administrator may not serve as chair or co-chair of the school community council.

Employee members shall be elected by secret ballot by a majority vote of the school employees. The employee member election shall be held in the same season as the election for parent or guardian members. The principal, or the principal's designee, shall oversee the elections. Results of the election shall be made available to the public upon request.

If the number of employee candidates is less than or equal to the number of open employee positions, no election is required.

If an employee position on the council remains unfilled following an election or after appointment when no election is required, the other employee members of the council shall appoint an employee to fill the position.

Utah Code Ann. §53A-1a-108 (2014)

Utah Admin. Code R277-491-3 (July 8, 2014)

Selection of Parent and/or Guardian Members

Parent or guardian members shall be elected by secret ballot by a majority vote of those voting in an election held at the school. Only parents or guardians of students attending the school are eligible to vote in this election. Ballots cast in this election shall be deposited in a secure ballot box.

If the number of parent or guardian candidates is less than or equal to the number of open parent or guardian positions, no election is required.

School community councils may establish procedures that allow for ballots to be clearly marked and mailed to the school in the case of geography or school distances that would otherwise discourage parent participation. Hand-delivered or mailed ballots shall meet the same timelines for voters voting in person. Schools may allow parents to vote by electronic ballot. If a school allows voting by electronic means, the opportunity shall be clearly explained on the school website including:

- 1) directions for electronic voting;
- 2) security provisions for electronic voting;
- 3) statement to parents and community members that violations of a school district's/school's voting procedures may disqualify a parent's vote or invalidate a specific school election, or both.

The principal, or the principal's designee, shall oversee the elections. Results of the election shall be made available to the public upon request. Following the election, the principal shall complete the Principal's Assurance Form on the School LAND Trust website, affirming that the school community council has been properly elected and vacancies filled as necessary and that the council's bylaws or procedures comply with law.

Any parent or guardian who qualifies to be a candidate may file or declare him or herself as a candidate for election to the council. An individual qualifies to be a candidate if she or he is the parent or guardian of a student who will be enrolled at the school at any time during the parent or guardian's initial term of office; however, if the parent or guardian is also an educator employed at the school, the parent or guardian is not eligible to be a "parent or guardian" candidate or member of the council.

The election for the parent and/or guardian members shall be held in the spring or in the fall, as determined by each school's principal. However, once the election season has been determined, it must remain the same for at least four years before it can be changed.

Spring elections for parent or guardian members shall be scheduled by the principal on a date or dates such that the election is completed before the last week of school.

Fall elections for parent or guardian members shall be scheduled by the principal on a date or dates such that the election is completed before October 15.

If a parent or guardian position on the council remains unfilled following an election or after appointment when no election is required, the other parent or guardian members of the council shall appoint a parent or guardian who meets the above qualifications to fill the position.

Utah Code Ann. §53A-1a-108 (2014)

Utah Admin. Code R277-491-3 (July 8, 2014)

Term of Office

Elected or appointed members of the council shall serve a two (2) year term beginning either the first day of the school year (for spring elections) or on November 1 (for fall elections). However, terms shall be staggered so that no more than approximately half of council members stand for election in any one year. A member's term shall be extended as needed until his or her replacement's term begins (for example, to avoid a gap that would result from a shift from one election season to the other). A school community council member may serve successive terms so long as the member continues to meet the eligibility requirements to be a parent or guardian member or an employee member.

Utah Code Ann. §53A-1a-108 (2014)

Utah Admin. Rule R277-491.5.c (July 8, 2014)

Updating Council Membership

By or before October 20 of each year, the principal shall enter the names of the council members on the state School LAND Trust Program website.

Utah Code § 53A-1a-108(5)(g) (2014)

Utah Admin. Rule R277-491-5.C (July 8, 2014)

Duties of Councils

Each school community council shall advise and make recommendations to the school, school district administrators, and the local school board regarding the school and its programs, school district programs, and other issues relating to the community environment for students. School community councils shall report on plans, programs, and expenditures at least annually to the Board and shall cooperate with Utah State Office of Education monitoring and audits. They shall also encourage participation on the council and may recruit potential applicants to apply for open council positions. Councils are also encouraged to establish clear written procedures which govern removal from office of members who move away or who consistently do not attend meetings, as well as additional clarifications to assist in the efficient operation of the council consistent with the law and with Board rule.

Each school community council shall also:

- 1) Create a school improvement plan in accordance with § 53A-1a-108.5;
- 2) Create a School LAND Trust program for the school in accordance with § 53A-16-101.5;
- 3) Assist in the creation and implementation of a staff professional development plan in accordance with § 53A-3-701; and
- 4) Advise and make recommendations to school and district administrators and the school board and its programs, school district programs, a child access routing plan in accordance with § 53A-3-402, and other issues relating to the community environment for students.
- 5) In addition, each school community council for an elementary school shall develop a reading achievement plan in accordance with § 53A-1-606.5.

Utah Code Ann. §53A-1a-108 (2013)

Duties of Council Chair

With respect to meetings, the school community council chair (or designee) shall:

- 1) Post meeting information (time, place, and date of the meeting, agenda, and prior meeting draft minutes) on the school website at least one week in advance;
- 2) Set each meeting's agenda;
- 3) Conduct each meeting according to the council's rules;
- 4) Assure that written minutes are kept which meet the requirements of this policy and law; and
- 5) Welcome and encourage public participation.

The chair shall also

- 1) Inform council members about resources available on the School LAND Trust website; and

- 2) Assure that the council adopts a set of rules of order and procedures, including procedures for electing the chair and vice chair. (The principal shall post these rules on the school website and make them available at each meeting.)

Utah Admin. Rule R277-491-6 (July 8, 2014)

Community Council Training

The superintendent or designee shall provide annual training to the community councils of the District. This training shall include education of the chair and vice chair regarding their responsibilities, informing council members about the resources available on the state School LAND Trust website, and educating the members about the following statutes which govern school community councils: Utah Code § 53A-1a-108 (relating to the establishment, composition, and duties of community councils); Utah Code § 53A-1a-108.1 (regarding open meeting requirements applicable to community councils); Utah Code § 53A-1a-108.5 (regarding the school improvement plan); and Utah Code § 53A-16-101.5 (regarding the School LAND Trust program). Training is also available from the School Children's Trust Section of the Utah State Office of Education.

Utah Code Ann. § 53A-1a-108(8) (2014)

Utah Code § 53A-16-101.6(11) (2014)

Community Councils Open Meetings Requirements

School community councils are not a "public body" subject to the requirements of and are exempt from the Utah Open and Public Meetings Act. However, a school community council shall conduct their business in an open and transparent manner according to the following requirements:

- 1) A meeting of a school community council is open to the public.
- 2) A school community council may not close any portion of a meeting.
- 3) On or before November 15, the principal shall post the following information on the school's website and in the school office:
 - a) The proposed school community council meeting schedule for the year;
 - b) A telephone number or email address, or both, where each school community council member can be reached directly; and
 - c) A summary of the annual report required under Section 53A-16-101.5 on how the school's School LAND Trust Program money was used to enhance or improve academic excellence at the school and implement a component of the school's improvement plan.
 - d) The school community council shall identify and use methods to provide this information to a parent or guardian without Internet access but without using School LAND Trust Program funds.
- 4) A school community council shall, at least one week prior to a meeting, post the following information on the school's website:
 - a) a notice of the meeting, time, and place;
 - b) an agenda for the meeting; and
 - c) the minutes of the previous meeting.

An agenda required under Subsection (4)(b) shall provide reasonable specificity to notify the public as to the topics to be considered at the meeting. Each topic shall be listed under an agenda item on the meeting agenda.

- 5) The notice requirement of Subsection (4) may be disregarded and an emergency meeting held if:
 - a) because of unforeseen circumstances it is necessary for a school community council to hold an emergency meeting to consider matters of an emergency or urgent nature; and
 - b) the school community council gives the best notice practicable of:
 - i) the time and place of the emergency meeting; and
 - ii) the topics to be considered at the emergency meeting.
- 6) An emergency meeting of a school community council may not be held unless:
 - a) an attempt has been made to notify all the members of the school community council; and
 - b) a majority of the members of the school community council approve the meeting.
- 7) A school community council may not take final action on a topic in a meeting unless the topic is:
 - a) listed under an agenda item as required by Subsection (4)(b); and
 - b) included with the advance public notice required by Subsection (4).
- 8) Written minutes shall be kept of a school community council meeting.
- 9) Written minutes of a school community council meeting shall include:
 - a) the date, time, and place of the meeting;
 - b) the names of members present and absent;
 - c) a brief statement of the matters proposed, discussed, or decided;
 - d) a record, by individual member, of each vote taken;
 - e) the name of each person who:
 - i) is not a member of the school community council; and
 - ii) after being recognized by the chair, provided testimony or comments to the school community council;
 - iii) the substance, in brief, of the testimony or comments provided; and

- iv) any other information that is a record of the proceedings of the meeting that any member requests be entered in the minutes.
- 10) The written minutes of a school community council meeting are a public record under Title 63G, Chapter 2, Government Records Access and Management Act and shall be retained for three years.
- 11) "Rules of order and procedure" means a set of rules that govern and prescribe in a public meeting:
 - a) parliamentary order and procedure;
 - b) ethical behavior; and
 - c) civil discourse.
- 12) A school community council shall:
 - a) adopt rules of order and procedure to govern a public meeting of the school community council;
 - b) conduct a public meeting in accordance with the rules of order and procedure adopted by the council and
 - c) make the rules of order and procedure available to the public:
 - i) at each public meeting of the school community council; and
 - ii) on the school's website.

Utah Code Ann. § 52-4-103(8)(b)(iii) (2014)
Utah Code Ann. § 53A-1a-108.1 (2014)

School Improvement Plan

Each school community council shall create a school improvement plan. In developing this plan, the council shall annually evaluate and use the results of the school's U-PASS test. (However the council may not have access to data which reveals the identity of students.)

The school improvement plan shall:

- 1) identify the school's most critical academic needs;
- 2) recommend a course of action to meet those needs;
- 3) list any programs, practices, materials, or equipment that the school will need to implement its action plan to have a direct impact on the instruction of students and result in measurably increased student performance; and
- 4) describe how the school intends to enhance or improve academic achievement, including how financial resources available to the school (for example, state and federal grants, or School LAND Trust Program monies) will be used for this purpose.

The school principal shall make the school budget and other data available to the council as needed in developing the school improvement plan.

The school improvement plan developed by the council is subject to the approval of the Board of Education. The school improvement plan as approved by the Board of Education shall be implemented by the school. The school shall provide ongoing support for the council's plan.

The school shall also through the school community council prepare and present an annual report to the Board of Education at the end of the school year which details the use of School LAND Trust funds and which assesses the results obtained from the use of those funds, and which also details the use of funds from other sources and the results obtained from use of those sources.

The council may develop a multi-year school improvement plan, but the plan must nevertheless be presented to and approved by the Board of Education each year.

Utah Code Ann. § 53A-1a-108.5 (2002)

School LAND Trust Program

In developing the school improvement plan, the council shall include a program to use the School LAND Trust funds allocated to the school to implement a component of the school improvement plan, including a description of programs, practices, materials or equipment needed to implement the component of the plan.

The program developed by the council to use the School LAND Trust funds is subject to the approval of the Board of Education. The program, as approved by the Board of Education, shall be implemented by the school. The school shall provide ongoing support for the council's plan. The school shall also publicize to its patrons and the general public how the School LAND Trust funds were used to implement a component of the improvement plan and the results of those efforts. Also, through the school community council, the school shall prepare and post on the state School LAND Trust Program website an annual report each fall which details the use of School LAND Trust funds and which assesses the results obtained from the use of those funds. (To assist with this annual report, on or before October 1 each year, the District shall post on the School LAND Trust Program website the amount of funds distributed to each school.) A summary of this report shall be provided to parents or guardians of students attending the school.

The council shall create and vote to adopt a plan for the School LAND Trust Program money in a meeting of the school community council at which a quorum is present.

If a majority of the quorum votes to adopt a plan for the use of School LAND Trust Program money, the plan is adopted.

A school community council shall:

- a) post on the state School LAND Trust Program website a plan for the use of School LAND Trust program money that is adopted; and
- b) include with the plan a report noting the number of community council members who voted for or against the approval of the plan and number of members who were absent for the vote.

The Board of Education shall approve or disapprove the plan for use of School LAND Trust Program money. If the Board of Education disapproves of the plan, the Board will provide a written explanation of the reasons for disapproval and request the council to revise the plan and the council shall submit a revised plan to the Board of Education for approval.

The school shall implement the program as approved, provide ongoing support for the program, and meet State Board of Education reporting requirements regarding financial and performance accountability of the program.

Utah Code Ann. § 53A-16-101.5 (2014)

Utah Admin. Rule R277-491-5.D (July 8, 2014)

The president of the Board of Education shall ensure that the members of the Board are provided annual training on the School LAND Trust Program and its requirements. (Training is available from the School Children's Trust Section of the Utah State Office of Education.)

Utah Code § 53A-16-101.5(9) (2014)

Utah Code § 53A-16-101.6(11) (2014)

Staff Professional Development Plan Assistance

The school community council shall assist the school with the development and implementation of the school's staff professional development plan.

Utah Code Ann. § 53A-1a-108(3)(a)(iii) (2014)

Child Access Routing Plan

Each school community council shall annually develop a child access routing plan for its school and submit it to the school traffic safety committee.

Utah Code Ann. § 53A-3-402 (17)(c)(i) (2014)

Utah Code Ann. § 53A-1a-108 (2014)

Reading Achievement Plan for Elementary Schools

The school community council for each elementary school shall develop a reading achievement plan for the school, which shall be submitted to the District for review and approval prior to implementation. The reading achievement plan must be reviewed and approved by the District annually. (In developing this plan, the council may not have access to data which reveal the identity of students.)

Following approval by the District, the reading achievement plan shall be implemented by the school's principal, teachers, and other appropriate staff.

The reading achievement plan shall be designed to reach the long-term goal of having all students in the school reading on or above grade level by the end of the third grade.

The reading achievement plan shall include the following components:

- 1) An assessment component that focuses on ongoing formative assessment to measure the five domains of reading (phonological awareness, phonics, fluency, comprehension, and vocabulary), as appropriate, and to inform instructional decisions, and which includes a reading assessment selected from a list recommended by the State Board of Education.
- 2) An intervention component that:
 - a) Provides adequate and appropriate interventions focused on each student attaining proficiency in reading skills;
 - b) Is based on best practices identified through proven research-based methods;
 - c) Provides intensive intervention, such as focused instruction in small groups, implemented at the earliest possible time for students having difficulty in reading;
 - d) Provides an opportunity for parents to receive materials and guidance so that they will be able to assist their children in attaining proficiency in reading skills; and
 - e) As resources allow, involves a reading specialist.
- 3) A reporting component that includes reporting to parents their child's literacy profile which documents ongoing formative assessment results and, at the end of third grade, their child's reading level.

Utah Code Ann. § 53A-1-606.5 (2013)

Subcommittees and Task Forces

A school community council may create subcommittees or task forces to advise the council or make recommendations to the council, or to develop all or part of the plans that the council's duties require it to prepare. However, any plan or portion thereof developed by a subcommittee or task force shall be subject to the approval of the council.

A school community council may appoint individuals who are not members of the council to serve on a subcommittee or task force (including parents, school employees, or other community members).

Utah Code Ann. § 53A-1a-108 (2014)

Wellness Policy Adoption Process

Wellness Policy Adoption Process

The Board recognizes its obligations under the Federal Child Nutrition and Women, Infants and Children (WIC) Reauthorization Act of 2004 and the Healthy, Hunger-Free Kids Act of 2010 and desires to provide a program promoting healthy eating and physical activity in district students.

Accordingly, the Board directs the Superintendent or the Superintendent's designee to develop a Wellness Policy that, at a minimum, shall:

- 1) Include goals for nutrition education, physical activity, and other school-based activities that are designed to promote student wellness in a manner that the Board determines is appropriate.
- 2) Include nutrition guidelines selected by the Board for all foods available on each campus during the school day, with the objectives of promoting student health and reducing childhood obesity.
- 3) Include goals for nutrition promotion.
- 4) Provide an assurance that the district's guidelines for reimbursable school meals will not be less restrictive than federal regulations and guidance issued pursuant to 42 USC 1758(f)(1), 1766(a) and 1779(a) and (b), as they apply to schools.
- 5) Establish a plan for measuring implementation of the policy, including the designation of one or more persons in the district or at each school charged with operational responsibility for ensuring that this policy is implemented at each school.

a. 42 USC § 1758b

The Superintendent or the Superintendent's designee shall involve parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the public, as well as any others the Superintendent or the Superintendent's designee deems beneficial, in the development, implementation, and periodic review of the Wellness Policy.

42 USC § 1758b(b)(3)

The Superintendent shall present the proposed Wellness Policy to the Board review and Board action.

Wellness Policy Recommendations (SAMPLE)

The council or committee shall examine related research and laws, assess student needs and the current school environment, review current district policies and administrative regulations, and raise awareness about student health issues. The council or committee may survey parents/guardians and/or students, conduct community forums or focus groups, collaborate with appropriate community agencies and organizations, or engage in similar activities within the budget established for these purposes.

The council or committee shall present policy recommendations to the Board which include, but are not necessarily limited to, the following topics:

- 1) Goals and strategies for increasing student participation in the school breakfast and lunch programs.
- 2) Nutritional standards for the school breakfast and lunch programs that meet or exceed state and federal standards.
- 3) The amount of time allowed for students to eat and the adequacy of lunchroom facilities.
- 4) Methods of ensuring compliance with federal regulations governing nutrition standards for all foods and beverages available for purchase by students on campus during the school day outside of the district's federally reimbursed meal programs.
- 5) Foods and beverages donated for class parties or other school events.
- 6) School-based marketing of foods and beverages, such as through advertisements in school publications, school buildings, athletic fields and/or other areas accessible to students, and activities such as coupon or incentive programs.
- 7) Age-appropriate, skill-building nutrition education at each grade level that is focused on behavior change.
- 8) Opportunities for all students to be physically active, including the amount of time devoted to physical education, the quality of the physical education program, and additional opportunities such as recess and before- and after-school programs.
- 9) Outreach strategies to encourage families to reinforce and support healthy eating and physical activity.
- 10) Cost estimates of implementing the recommended strategies and potential funding sources.
- 11) Priorities for implementing the recommended strategies in the wellness policy.
- 12) Processes for evaluating the school district's wellness policy, including evaluation methods, indicators that will be used to measure success, and frequency of reports, and the individual or individuals responsible for ensuring school compliance with the Wellness Policy.

As it deems appropriate, the council or committee may make policy recommendations related to other health issues that are necessary to promote student and staff health.

Periodic Assessment

The District shall, at the intervals established in the Wellness Policy, assess:

- 1) The extent to which schools are complying with the Wellness Policy;
- 2) The extent to which the Wellness Policy compares with model wellness policies; and

- 3) The progress made towards the goals in the Wellness Policy.

a. 42 USC § 1758b(b)(5)

Public Information

The Wellness Policy shall be posted on the District's web site and be included in annual notices provided to parents. In addition, the District shall inform the public of the results of its assessments of the Wellness Policy.

42 USC § 1758b(b)(4)

GAB

Public Information Program

School Report Card

Publishing of School Report Card

Except for schools that the State Board of Education has exempted from school grading, on or before September 1 of each year, the District shall publish the school report cards and grades for the prior year for each school in the District on its website, and shall also publish on each school's website the prior year's report card and grade for that school. (Schools designated as "alternative schools" by the State Board of Education receive report cards but not grades.) At the same time, the District shall also publish the current school improvement plans for each school on the District and school websites. (For the 2013-14 school year, the deadline for publishing report cards and grades is December 15, 2014.)

Utah Code § 53A-1-1112(6) (2013)

Utah Code § 53A-1-1104 (2014)

Utah Code § 53A-1-1114(1)(d) (2014)

GCD

Political Party Use of School Meeting Facilities

Meeting facility use by political parties

Meeting facilities in District buildings are available for use by registered political parties subject to compliance with the requirements and conditions of this policy.

Utah Code Ann. § 20A-8-404(1) (2011)

Scheduling requirements

A political party desiring to use meeting facilities in a District building must request the use at least 30 days in advance of the proposed use. The request shall be denied if the meeting facility is already scheduled for another purpose at the time of the requested use by the political party. Each District employee responsible for scheduling the use of buildings with meeting facilities shall, to the extent possible, avoid scheduling an event in such buildings on the same evening as an announced party caucus meeting.

Utah Code Ann. § 20A-8-404(1), (4) (2011)

Fees for meeting facility use by political parties

The political party shall pay the District the actual costs incurred by the District for custodial services to clean the meeting facilities after the political party's use. In addition, the political party shall pay the District the actual cost of any services requested by the political party and provided by the District.

Utah Code Ann. § 20A-8-404(3) (2011)

Duties of school principal

The Principal, subject to approval of the Superintendent, shall coordinate the use of school meeting facilities and shall also be responsible for collection of monies, notification of personnel involved (custodian, lunch manager, or technician), and the determination of eligibility for use of the facilities under this policy.

Supervision

The principal shall be responsible for adequate supervision of the school during meeting facility use. Any political party using school meeting facilities shall provide adult supervision adequate to maintain order and prevent the destruction of school property. Facilities shall not be available at the time of use unless the supervisor or supervisors are present as agreed. At the time of scheduling, arrangements shall be made for adequate supervision. School supervision shall consist of a minimum of one custodian to care for the interest of the District and its property, but the political party may not be charged for the custodian's service other than as provided for above. In the absence of the principal, the custodian shall be in complete charge of the meeting facilities.

Standards of Behavior

Tobacco, intoxicating drinks, and boisterous conduct are expressly prohibited. The following will not be tolerated and are expressly prohibited by the Board:

1. vandalism;
2. use without consent, or abuse of school furniture or other school property; and,
3. appropriation or abuse of books, supplies, or athletic equipment belonging to the school or to its students.